

AGENDA
CITY OF SEDONA
PLANNING AND ZONING COMMISSION

PUBLIC HEARING
TUESDAY JUNE 1, 2010 5:30 P.M.

Pursuant to ARS 38-431.02 notice is hereby given to the members of the Planning and Zoning Commission and to the general public that the Planning and Zoning Commission will hold a public hearing open to the public on **Tuesday, June 1, 2010 at 5:30 p.m.**, in the **City Council Chambers**, located at 102 Roadrunner Drive, Sedona, Arizona. **NOTE: Times noted on the agenda are approximations only and may vary.**

The Order of Business shall be as follows:

(15 minutes 5:30-5:45 for agenda items 1-4)

1. Verification of Notice, Call to Order, Pledge of Allegiance and Roll Call
2. Commission/Staff announcements and summary of current events by Chairman/staff.
3. Approval of minutes for the following meetings:

May 4, 2010 (R)
May 18, 2010 (R)
4. Public Forum – for items not listed on the agenda within the jurisdiction of the Planning and Zoning Commission – limit of three minutes per presentation. (Note that the Commission may not discuss or make any decisions on any matter brought forward by a member of the public).
5. Introduction/discussion regarding the agenda items for the regularly scheduled meeting of Tuesday, **July 6, 2010: (20 minutes 5:45 – 6:05)**
 - A. Request for a permanent extension of the Conditional Use Permits for the Sedona Charter School (CUP1999-6) and use by the school of the Purtymun-Bennet Cabin as a pullout classroom and a rental facility for small community events (CUP2007-5). Current zoning is RS-35 (Single-family Residential) and the properties are located at 175 and 215 Kachina Drive. The properties are further identified as Assessor's Parcel Numbers: 408-02-077E, 408-02-078 and 408-02-079.

Applicant: Sedona Charter School
Case Number: CUP2010-3
 - B. Request for a Conditional Use Permit to operate a jeep tour office and staging area and an outdoor farmer's market at 301 SR 179. The property is currently zoned C-1 (General Commercial). The property is further identified as Assessor's Parcel Number: 401-18-030L.

Applicant: A Day in the West
Case Number: CUP 2010-2

6. CONSIDERATION OF THE FOLLOWING REQUEST(S) THROUGH PUBLIC HEARING PROCEDURES: **(45 minutes 6:05-6:50)**

- A. **Discussion/possible action regarding a request for a three-year Time Extension** of the previously approved Zone Change and Development Review for **The Falls at Oak Creek**, a proposed 47-unit condominium development located on two parcels totaling approximately 3.88 acres located at 1156 Highway 179, site of the Oak Creek Mobile Lodge. Current zoning is PRD (Planned Residential Development) with a legal non-conforming use as a mobile home park. The properties are further identified as Assessor's Parcel Numbers: 401-26-011A & 401-26-019B.

Applicant: Campbell Family Trust

Case Number: TE2010-1 (Related cases: ZC2007-1 and DEV2007-1)

7. Discussion/possible action on formation of advisory committee for the Update of the Sedona Community Plan. **(60 minutes 6:50 – 7:50)**
8. Discussion/possible action regarding future meeting dates and agenda items: **(10 minutes 7:50 - 8:00)**

Tuesday, June 15, 2010 – 3:30 p.m. – Regular

Thursday, July 1, 2010 – 3:30 p.m. – Work session

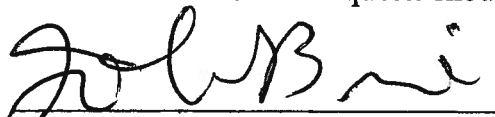
Tuesday, July 6, 2010 – 5:30 p.m. – Regular

9. Adjournment **(8:00 pm)**

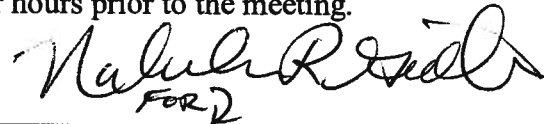
NOTE: This is to notify the public that members of the City Council and other City Commissions and Committees may attend the Planning and Zoning Commission meeting. While this is not an official City Council meeting, because of the potential that four or more Council members may be present at one time, public notice is therefore given for this meeting and/or event.

NOTE: Pursuant to A.R.S. §38-431.02(B) notice is hereby given to the members of the Planning and Zoning Commission and to the general public that the Planning and Zoning Commission will hold the above open meeting. The Planning and Zoning Commission may vote to go into executive session on any agenda item, pursuant to A.R.S. §38-431.03(A)(3) and (4) for discussion and consultation for legal advice with the City Attorney.

The City Council Chambers is accessible to people with disabilities, in compliance with the Federal "504" and "ADA" laws. Those with needs for special typeface print, may request these at the Clerk's Office. All requests should be made twenty-four hours prior to the meeting.



John O'Brien, Director
Department of Community Development


FOR

Alex Gillon, Chairman
Planning and Zoning Commission

Posted Date: May 20, 2010 Time: 4:00pm By: MS/pence



DEPARTMENT OF COMMUNITY DEVELOPMENT
Current Planning Division

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bescobar@sedonaaz.gov

Memo

TO: Planning and Zoning Commission

FROM: Beth Escobar, Associate Planner *Beth Escobar*

SUBJECT: Sedona Charter School/Purtymun-Bennet Cabin-
Conditional Use Permit Renewals

DATE: June 1, 2010

Included with this memo is information related to two time-extension requests for conditional use permits granted to the Sedona Charter School. The first, CUP1999-6, is related to operation of the school on residentially zoned property. The subject properties are zoned RS-35 (Single-family Residential). Per Section 603.02.B.4 of the Land Development Code, educational institutions are a permitted use with a conditional use permit. This CUP was approved in 2000, along with development review approval for construction of the campus. Construction of the school was completed in 2002. Although there was originally some concern in the adjoining Kachina neighborhood regarding the location of the school, it has been in operation for eight years without any major issues or problems developing. As part of the original approval, the Sedona Charter School installed a sewer main line from Dry Creek Road to the campus. This helped facilitate the connection of the Kachina subdivision to the City of Sedona's wastewater system. The applicant is asking for a permanent time extension of this conditional use permit.

The second conditional use permit, CUP2007-5, is for use of the historic Purtymun-Bennet Cabin, located on property adjacent to the school, as a pullout classroom and rental facility for small events. This permit was approved in September 4, 2007, but the use was never initiated due to financial limitations. The applicant is requesting that this permit be consolidated with the permanent time extension for the school. The Sedona Charter School has met Condition of Approval # 7, and obtained a historic landmark designation for the Purtymun-Bennet Cabin.

This item is scheduled for the July 6, 2010 Public Hearing.

Attached for your review are the following documents:

1. Vicinity Map
2. Aerial Map
3. Applicant's Letter of Intent
4. Staff report for CUP99-6, December 7, 1999
5. Staff report for CUP07-5, September 4, 2007

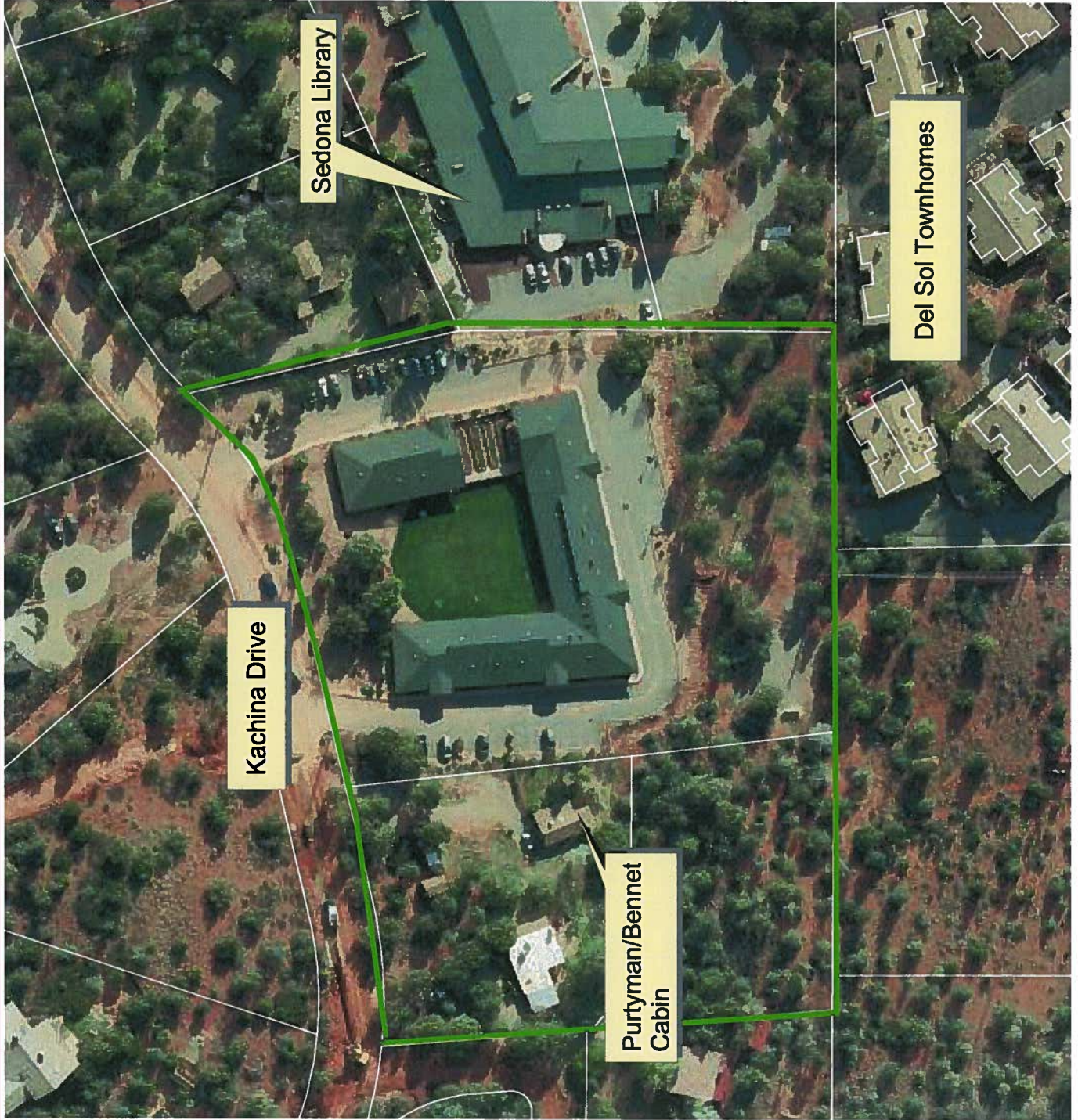
Sedona Charter School



This map has been provided for informational purposes only and is not necessarily engineering accuracy. Every effort has been made to ensure this map is as accurate as possible. The City of Sedona shall assume no liability for the information contained on this map. Topographic information used is from 1989 & is not updated.



City of Sedona
102 Roadrunner Drive
Sedona, Arizona 86336
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<http://www.city.sedona.net>



Vicinity Map

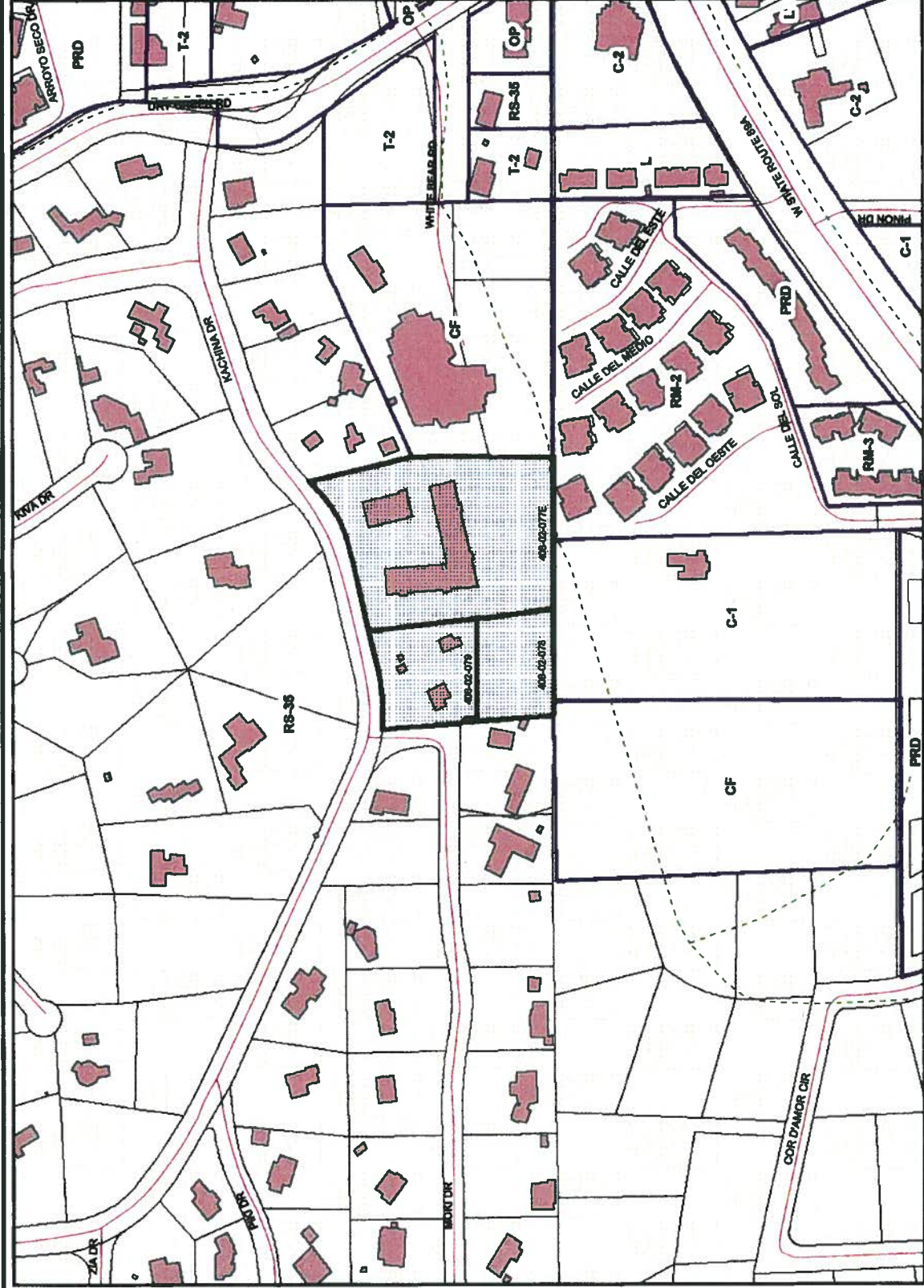
Parcel #
408-02-077E/078/079
Sedona Charter
School

- Selected Parcels
- Zoning Boundary
- Building Footprint
- Parcel Boundary
- Trail
- Road Centerline



0 75 150 Feet

City Index





Our Mission: *Our Montessori school challenges each child to achieve excellence through an individualized program. We inspire a passion for learning, instill a sense of personal responsibility, and cultivate a respect for the environment and involvement in the community.*

April 30, 2010

Nicholas Gioello and Beth Escobar
Department of Community Development
City of Sedona
104 Roadrunner Drive
Sedona AZ 8633

Dear Mr. Gioello and Ms. Escobar:

Sedona Charter School seeks to renew and combine its Conditional Use Permits for 165 and 215 Kachina Drive, with an indefinite end date. The primary permit, for 165 Kachina Drive, has been in place for 10 years without incident. The permit for 215 Kachina Drive has been in place since 2007. Schools are an approved use within residentially zoned areas, with a Conditional Use Permit. The campus encompasses three parcels: the core campus (2.77 acres at 165 Kachina Drive), the pull-out classroom and residential rental home (.8 acre at 215 Kachina Drive), and our nature environment (.75 acre on Moki Drive)—a total of 4.32 acres.

ABOUT THE SCHOOL:

Founded in 1994, Sedona Charter School is the oldest charter school in Arizona. It offers a Montessori curriculum and has full membership status in the American Montessori Society.

Although it is chartered for a maximum enrollment of 200 students, Sedona Charter School does not anticipate enrolling more than 180 students on the Kachina campus in the current buildings.

The school serves students in grades K-8. Sedona Charter School is open to all elementary and middle school age children on a first-come, first serve-basis. The school has earned an outstanding reputation within the community, and its students consistently earn the school high rankings on standardized test results. The majority of its students attend Sedona Red Rock High School after completing eighth grade.

Sedona Charter School is non-profit (501-c.3.), and tuition free, with most of its annual operating funds derived from the state. ***None of its income is derived from local property taxes or bonds.***

STUDENT POPULATION:

Sedona Charter School currently has 160 students enrolled. 114 students live within the 86336 zip code, within 7 miles of the school; 82 live within three miles of the school; and 19 are within 1 mile of the school. 13 students live in the Village of Oak Creek and 33 live in other parts of the valley. Nearly all students living outside Sedona have parents who work in the city.

Forty percent of the students qualify for free or reduced lunch, indicating economic disadvantage. 19 percent are minority, and 27 percent come from single-parent households.

TRAFFIC, ACCESS, AND PARKING

There are 38 designated parking spaces on the Sedona Charter School property. The access drive is one-way during pick-up so that parents can gather their children and cars can still pass without bottleneck. The ingress drive is on the east edge of the site and the egress to the west, minimizing the times spent in pick-up at the school site. The arrangement has the additional benefit of picking children up on the school side of the drive rather than the traffic side. The long U-shaped drive allows cars to wait to pick up children on the school property rather than on Kachina Drive.

For 10 years the school has had an arrangement with the library allowing all students to be dropped off in the morning at the library. They proceed on foot from the library to the school along a path maintained by the school. Sedona Charter School seeks the option to change this aspect of the Conditional Use Permit. The school requests permission starting in August 2010 to have the option of student drop off and pick up on its own property. In this scenario, morning drop off will follow the same plan as afternoon pick up. However, current plans are to keep morning drop off at the library. If the school opts to change drop-off to the school campus, the school will send notice to residents of the Kachina neighborhood.

Pick up utilizes the U-shaped drive along the East, North, and West sides of the school, beginning at 2:55 pm weekdays. A staggered schedule with pick up at 3:00, 3:15, and 3:30 has been implemented to minimize impacts in the afternoon. Over the course of 45 minutes, we typically have fewer than 60 vehicles traveling through campus for afternoon pickup.

Morning drop-off at the Sedona Public Library begins at 7:45 am and concludes at 8:35 am. Typically between 70 and 80 vehicles drop off during the 50-minute period, with no more than 5 vehicles at a time at the drop-off point. If the option to move drop-off to the Kachina Campus is exercised, the drop-off would remain staggered between 7:45 am and 8:35 am, thus having minimal impact on Kachina Drive in the mornings.

Last year during April and May the library parking lot was undergoing renovation. For a 6 week period, drop-off and pick-up occurred at the Sedona Charter School in the above-described manner. ***This transpired without incident or complaint from the community or surrounding neighborhood. No back up of traffic occurred on Kachina Drive during the morning drop-off of students.***

Over the ten-year period that the Sedona Charter School has operated on Kachina Drive, neither the school nor the City of Sedona have received a complaint or objection from the community or surrounding neighborhood concerning traffic or parking.

DRAINAGE

Drainage ways and detention basins developed at the time the school was built remain in place.

WASTEWATER DISPOSAL:

The school constructed a sewer line from the campus to Dry Creek road, and tie into the Sedona sewer system. The new line allowed the Sedona Library to hook up as well.

SITE DESIGN:

The overall faun made by the buildings is a "U" shape around a central courtyard. Buildings define three sides of the courtyard. The fourth, north, side faces Kachina Drive and is screened by a berm, existing native trees, and new planting. The intent of the site design is to create a secure environment for young children and also to help contain some of the activity of the school. The buildings are oriented inward, with all of the doors toward the courtyard. The primary circulation routes from one building area to the next and to the principal play areas are screened from the

neighborhood. There are many native trees on the site, and many new trees have been planted, creating a lush, green environment.

The school proposes to convert a flat, sandy play area on the southwest corner of the core parcel into a hardcourt area for sports such as basketball and volleyball. There are no homes adjacent to this corner.

BUILDING DESIGN:

Our intent was to build in keeping with the surrounding neighborhood. As a public building, the library was an appropriate precedent for design. The similarities between the buildings are both formal and material. Formal similarities include the structure of the building as a column and beam building with low walls and extensive glazing as infill between the columns. Gently sloped roofs and clerestory windows are also common elements. The palette of materials is inspired directly by the library building: sandstone-clad columns, stuccoed masonry walls, green asphalt shingle roofing, exposed laminated wood beams over large expanses of glass. The principal differences between the library and school buildings are that the library is two stories while the school is only one.

SUMMARY OF USES:

The school building accommodates the following indoor uses:

1. Normal classroom functions
2. School administrative functions
3. School materials storage
4. Bathroom facilities
5. Science and home economics projects
6. Art projects
7. Computer stations

The school site accommodates the following outdoor uses:

1. Playground activities on a staggered schedule.
2. Hard court activities using the gated parking areas as the playing surfaces
3. An outdoor classroom
4. An outdoor garden
5. A science/biology area
6. A sand play area with playground equipment
7. Walking access for both students and neighbors to the library
8. Proposed hardcourt play on southwest corner of core parcel (now sandy play)

LOG CABIN AND RENTAL HOUSE

The 215 Kachina Drive parcel encompasses a log cabin and small house that is used as a residential rental. The school plans to continue using the small house as a residential rental.

The log cabin, known as the Bennett-Purtyman cabin, is Sedona Historical Landmark number 17. It is the oldest log cabin in Sedona and the second oldest building. During the last 3 years, in preparation for using the cabin as a pull-out classroom, the school has refurbished the cabin: It has replaced the roof, reinforced the roof overhang on the front patio, removed an interior gas heater and a swamp cooler and replaced them with a streamlined interior electric HVAC unit. Eventually the school plans to convert the gravel parking area into a grassy play area (grass species to be pre-approved by City staff). The play area will be screened from the street by existing vegetation.

The school plans to use the cabin as a pull-out classroom during the school year, and possibly during the summer months. Student groups of up to 15 students could be accommodated in each of

the two rooms. This use will not increase enrollment or school-related traffic at Sedona Charter School, as it is intended to be an adjunct classroom only.

In addition, the school may rent the cabin to small groups of up to 45 people for meetings or gatherings between the hours 4 and 9 pm on weekdays and 10am to 9 pm on weekends. Those using the cabin would use existing parking on the Sedona Charter School campus.

The current CUP allows the school to use the cabin as a residential rental if it has not been in continuous use as a classroom for more than 12 months. We plan to continue this plan of exploring the use of the cabin as a classroom, with the possibility of it reverting back to a residential rental if fiscal circumstances require.

SIGNAGE: No additional signage is anticipated. Current signs meet city requirements.

LIGHTING: Lighting complies with city standards. No additional lighting is planned.

MECHANICAL EQUIPMENT:

Mechanical equipment is ground-mounted and screened.

NEIGHBORS:

The nearest residential neighbor is approximately 150' from the central playground. Four neighbors are near the site in total. The Del Sol Condominiums are to the south of the site. Because evening activities are extremely rare, neighbors have peaceful evenings and weekends.

NEIGHBORHOOD NOTICE:

The school will send a letter to owners of homes within the surrounding neighborhood. The letter will explain that the school is seeking to renew its permits, and invite those interested to call with questions or visit and tour the school. A report of neighbor responses will be provided to City staff.

PLANNING EVALUATION:

- **Schools are a permitted use** with special conditions in residential districts. Sedona Charter School is adjacent to the Sedona library, and serves as a buffer between the multi-family Del Sol condominiums, the commercial radio station property, and the Kachina neighborhood which houses a number of small in-home businesses.

BENEFITS TO THE NEIGHBORHOOD:

- The school has made significant contribution to the improvement of Kachina Drive. In fact, more than 10% of the school's construction budget, about \$250,000, was spent by the school to bring Kachina Drive up to the Sedona city standard for streets and sidewalks. Sedona Charter School widened the road and installed sidewalks from Dry Creek Road to the western end of the school property. This has materially benefited both the town and the neighborhood, and the school is still paying off the loan, using dollars that would otherwise go into the classrooms.
- The school buried existing overhead utility lines adjacent to and through the site, creating obvious visual improvement to the neighborhood.
- The school improved the water capacity coming into the Kachina neighborhood.
- The school added a fire hydrant to the Kachina neighborhood.
- The school made a permanent pedestrian connection through its site, to the library and from there to the new Dry Creek Road sidewalk, allowing safe pedestrian travel for all walkers to the library and beyond.
- Local families use the school grounds on weekends for play, outings, and even picnics. A

wedding was held at the school, a local orchestra uses one of the classrooms for weekly practices, and other small local groups have used the buildings from time to time.



DEPARTMENT OF COMMUNITY DEVELOPMENT

Current Planning Division
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Sedona, Arizona 86336

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SUMMARY SHEET

Sedona Charter School - Kachina Drive Campus Conditional Use Permit and Development Review

Case number: CUP99-6 and DEV99-13

Parcel number: 408-02- 077B, -077C and -077D

Meeting date: December 7, 1999

Applicant: Sedona Charter School

Proposal: Request for a Conditional Use Permit and Development Review to allow the Sedona Charter School to develop a school campus that will eventually accommodate approximately 200 students from grades 1- 8. Approximately 26,649 sq.ft. of classroom, administration and assembly space is proposed, as well as an outdoor playground, hard surface ball court and parking areas as well as landscape and buffer areas.

Location: 165 Kachina Drive on three parcels located west of the Sedona Public Library and east of Moki Drive.

Site size: ± 2.8 acres

Current zoning: RS-35 (Single-family Residential)

	<u>Area zoning</u>	<u>Area land uses</u>
North:	RS-35	Single-family residences - Kachina subdivision
South:	C-1 and RM-2	State lands and KAZM radio station and Del Sol Townhomes
East:	CF	Sedona Public Library
West:	RS-35	Single-family residences - Kachina subdivision

Staff recommendation: Approval with conditions

Current Planning Division

STAFF REPORT

To: Planning and Zoning Commission

Through: John O'Brien, Director
Department of Community Development

From: Roger E. Eastman, Associate Planner
Department of Community Development

Meeting date: December 7, 1999

Applicant: Sedona Charter School

Case number: CUP99-6 and DEV99-13

BACKGROUND

For a number of years the Sedona Charter School has been looking for a permanent school campus in the Sedona area. Staff, the Planning and Zoning Commission and City Council have all worked with the school on various Conditional Use Permit applications at different locations that include, for example, The Christ Center Wesleyan Church on Brewer Road, the Sedona Baptist Church on Deer Trail Drive and most recently at the Sedona Public Library on White Bear Road where the school has sought temporary classroom facilities. The Brewer Road proposal which was eventually approved by the City Council, was never developed by the school because of other complications. The school successfully was granted a Conditional Use Permit by the Planning and Zoning Commission that enables them to hold grades 1-3 at the Baptist Church on Deer Trail Drive. For some years now the classrooms for grade 7-8 students have been established in an old house east of the Sedona Public Library on White Bear Road. Last year the Planning and Zoning Commission approved a Conditional Use Permit to allow the school to temporarily provide classrooms for grade 4-6 students in a modular building at the same site. The Conditional Use Permit expires at the end of the 1999/2000 school year.

The school has been intent on finding a permanent location for some time. Various sites within the City have been explored, including for example, the 5 acre State Land property west of KAZM, acreage on Dry Creek Road, co-location with the West Sedona School on Posse Grounds Drive and the old Cornet store building near the Harkins theater. For various reasons each of these proposals has not successfully moved forward.

In May 1999, representatives from the school purchased 3 parcels on the south side of Kachina Drive and on the west side of the Sedona Public Library with the intent of establishing a permanent school

site on this land. An option to purchase 2 adjoining parcels to the east has also been negotiated. Once the school had decided definitively to pursue development of a permanent campus on this site, a series of meetings with the residents of Kachina subdivision were held. This led to numerous letters being written to city staff and elected and appointed officials by Kachina subdivision residents mostly opposing the school, as well as parents supporting the school. At the suggestion of staff and the Commission, a conceptual review meeting was held on the project on August 3, 1999. Following this meeting, the applicant developed his plans further and finally submitted them to Department of Community Development staff on October 13, 1999 for review and consideration of approval by the Planning and Zoning Commission at a public hearing to be held December 7, 1999.

Staff and review agencies comments were presented to the applicant at a Development Review meeting held at City Hall in early November. Following this meeting, minor changes to the site plan, and grading and landscaping plans were made.

SITE CHARACTERISTICS

- The approximately 2.8 acre subject site is made up of 3 contiguous parcels of land. The 2 parcels that adjoin Kachina Drive are vacant and undeveloped, and vegetated with trees and shrubs typical of the Sedona area, including pinon, juniper, scrub oak and manzanita. The third parcel to the south is similarly vegetated, and is developed with an old abandoned single-family residence.
- A narrow road located in an easement provides driveway access to the house across the northeast parcel.
- The subject property has a moderate slope of approximately 5%. A drainage crosses the subject property from Kachina Drive. Existing soils fall into hydrologic group D, and thus have a high runoff potential. The soil consists primarily of red rock and silty-sand.
- The Sedona Public Library borders the site on its east side while Del Sol Townhomes are located to the south. Kachina subdivision is to the north across Kachina Drive. Two metes and bounds parcels are located to the west.
- An existing overhead electric line is located on the property, crossing it from north to south.
- A utility easement is located along the west and south property lines, while an access easement is located on the east portion of the northeast parcel.

DEVELOPMENT PROPOSAL

- The Sedona Charter School was chartered in 1994. It is a non-profit, tuition free school, and is chartered for a maximum enrollment of 200 students. The school has a 501-c-3 non-profit status, and none of its income is derived from local property taxes. Annual operating funds are derived from the State.
- The school serves students in grades K-8. Sedona Charter School is open to all elementary and middle school age children on a first-come, first serve-basis.
- A breakdown of the current student population is as follows:
 - 76 live within the Sedona city limits
 - 25 within 1 mile of the proposed school site
 - 28 students in the Village of Oak Creek, Red Rock Loop area and Oak Creek Canyon

14 live in other parts of the valley.

A map provided by the applicant is attached that shows the distribution of students' homes in Sedona and the Verde Valley.

The applicant notes that nearly all students living outside Sedona have parents who work within the city limits.

The school intends to build a new facility in phases as further described below.

Phase one Expected to be complete in 2000

Approx. 120 students

Includes classrooms for 1-6, covered and open playground areas, raised gardens, driveway and parking areas (20 spaces), hard court for ball games, landscaped berm on Kachina Drive, other site landscaping development, and improvements to Kachina Drive (see below).

Phase two Expected to be complete in 2003

Approx. 180 students

Includes classrooms for grades 7-8, administration building and additional parking (7 spaces).

Phase three Expected to be complete in 2006.

Maximum 200 children.

Complete build-out of the school (as currently proposed) - includes multipurpose assembly building, a common laboratory building and expanded administrative quarters.

The existing single-family residence will be demolished.

The school buildings will accommodate the following indoor uses:

Normal classroom functions

School administrative functions

School materials storage

Bathroom facilities

Science and home economics projects

Art projects

Computer stations

The phase 3 multi-purpose building designed to accommodate about 200 people will be used for meetings, assemblies, and related school functions. It will be available to the community for meetings of non-profit groups, and neighborhood functions.

The school will accommodate the following outdoor uses:

Playground activities on a staggered schedule, no more than 60 children outside at one time

Hard court activities using the gated parking areas as the playing surfaces

An outdoor classroom

An outdoor garden

A science/biology area

A sand play area with playground equipment

Walking access for both students and neighbors to the library.

A break down of site uses follows;

Overall site area 2.83 acres

Building area	26,649 sq.ft.	21.6%
Pavement area	26,000 sq.ft.	21.1%
Sidewalk area	3,182 sq.ft.	2.6%
Open space area	67,416 sq.ft.	54.7%

- A permanent public pedestrian way will be developed through the site (see below).
- The central campus will be closed during school hours by gates in the driveways to provide security.
- A copy of the applicant's letter of intent is attached. This letter of intent provides considerable detail on the proposed project.

Access and Traffic Issues

- Principal access to the site will be from Kachina Drive and via a pedestrian connection to the Sedona Public Library.
- Pick-up and drop-off of students is proposed as follows:
- PICK-UP:

A one-way U-shaped access driveway from Kachina Drive is proposed. This will be used for afternoon pick-up of students only. The ingress drive will be on the east edge of the site and the egress to the west, minimizing the time spent in pick-up at the school. The applicant notes that this proposal has the additional benefit of allowing parents to pick up children on the school side of the driveway rather than the traffic side, hence increasing safety. Also, the long U-shaped drive will allow cars to wait to pick up children on the school property rather than on Kachina Drive.

Afternoon pick up traffic will use Kachina Drive for about 1 hour beginning at 2:55 on weekdays. A staggered schedule of pick-ups is proposed at 3:00, 3:15, and 3:30 (after completion of phase 2) will be implemented to minimize impacts in the afternoon.

An aggressive car pool program currently in place for the White Bear school will be continued at the Kachina site.

- DROP-OFF:
To minimize traffic on Kachina Drive in the mornings, the school has reached an agreement with the Sedona Public Library that allows all students to be dropped off in the morning in the parking area of the library. Students will then proceed on foot from the library to the school along a new path to be constructed south of the existing driveway and parking area in the Sedona Public Library. As a result of this arrangement, the school anticipates that there will be no student-related traffic on Kachina Drive in the mornings.
- A Traffic Impact Analysis (TIA) for the proposed school campus has been prepared and submitted. The TIA reviewed both existing and proposed conditions. A summary of the TIA follows.
- The majority of the school generated trips will be pick-up and drop-off trips by parents of the students. These trips will primarily originate from the south on Dry Creek Road (i.e. from Highway 89a).
- During the morning (AM) peak hour (8.00 to 9.00 a.m.) 126 vehicles will be expected to drop-off students at the Sedona Public Library. They will then turnaround and return to Dry Creek Road. Only teachers and administrators will use Kachina Drive in the AM peak hour which will account for approximately 10 trips. The AM peak hour will therefore consist of a total of 262

- trips (all trips on White Bear Road and Kachina Drive). Note that a trip is a one-way vehicular movement from one destination to another.
- All afternoon (PM) peak hour (2.45 to 3.45 p.m.) traffic will utilize Kachina Drive. Approximately 103 vehicles will enter the school to pick-up students. Approximately 113 vehicles will exit the school for a total of 220 PM peak hour trips on Kachina Drive.
 - The Level of Service of the Kachina Drive/Dry Creek Road intersection both pre- and post-development is at level A. The number of trips through the intersection without accounting for car pooling will increase at full build out of the school by 21.7% from 900 to 1,120 trips per day.
 - The TIA notes that the existing 17' pavement width of Kachina Drive is too narrow for the current volume of traffic, and that it should ideally be 20'. The TIA also noted that the Kachina Drive cross-section is not conducive to pedestrians. Pedestrians now walk on the pavement due to the lack of a shoulder or sidewalk. Approximately 10 students walk along Kachina Drive to get to a public school bus stop located at the intersection of Kachina Drive and Dry Creek Road.
 - The following traffic measures are recommended in the TIA to address anticipated traffic concerns.
 - ☐ Kachina Drive should be widened to a 22' pavement width per ITE and AASHTO standards. Four foot wide shoulders should be provided where possible.
 - ☐ A sidewalk/pathway is recommended along Kachina Drive from the school site to Dry Creek Road. The TIA suggests that it would be easier to construct the sidewalk on the north side of Kachina Drive.
 - ☐ School signs must be installed to warn eastbound and westbound Kachina Drive traffic of the approaching school zone. A crosswalk will be required across Kachina Drive at the school site.
 - ☐ Traffic circulation through the school site is recommended in a clockwise fashion so that student pick-up can be accommodated curbside. A lane should be designated as the waiting zone with the outside lane open for through movement.
 - ☐ A traffic circulation plan should be presented to the parents.
 - The TIA concluded that the proposed Sedona Charter School *"will have impacts on the existing transportation network"* and that the *"implementation of the recommendations as outlined above will mitigate the impacts of the development and provide safe and efficient traffic operation in the vicinity of the site"*.
 - The school further notes in the letter of intent that staggered class schedules of 15 minutes will be implemented to prevent back-ups and congestion at the site or on Kachina Drive.
 - Approximately 40 vehicles will be accommodated on the site both in parking and stack areas in all phases to eliminate queues onto Kachina Drive.
 - A permanent pedestrian connection is proposed through the school on the east property line from Kachina Drive through the Sedona Public Library, along White Bear Road to Dry Creek Road. A new sidewalk is proposed on the west side of Dry Creek Road from Highway 89a to Kachina Drive as a part of the improvements now under construction.
 - An alternate master site plan has been submitted (sheet A-5 of the Commission's packet of plans) that shows how the school plans to incorporate the proposed Navoti Drive connector road into the overall development plan. (The City of Sedona has for some years suggested the construction of a connector road from near the existing Sedona Medical Center to Kachina Drive. The City's plans

were formalized in a report prepared by CH2M Hill in November 1997, the West Sedona North/South Off-Highway Circulation Study, that shows a conceptual alignment for a Navoti Drive connector road connecting from the Sedona Medical Center northwards before it turn east and crosses the State Land Department parcels (that include KAZM's offices) before turning north again across the parcels now owned by the Sedona Charter School to intersect with Kachina Drive. A copy of the plan showing this conceptual alignment is included as part of this staff report.)

Parking

- The master site plan shows that a total of 46 parking spaces will be provided, including 4 handicap parking stalls. Based on minimum Land Development Code requirements, 46 parking spaces are required.
- 20 parking spaces are required in phase 1 and 20 have been provided, including 2 handicap parking stalls.
- An additional 7 parking spaces are required in phase 2 for a total of 27, and 27 have been provided, including 2 handicap parking stalls.
- The parking areas and driveways will be finished with asphalt.

Grading/Drainage

- A drainage study and detailed grading plan have been prepared.
- The proposed development will use the east driveway to convey flood flows through the site. It will be constructed with a 2% inverted crown with vertical curb so that flood flows will be contained within it to exit the property at its historical point at the southeast corner of the site.
- Vertical curb and gutter along the south side of Kachina Drive will direct sheet flows to the east entrance.
- A 4 foot high berm is proposed on the north side of the property to direct excessive flows sheeting over Kachina Drive to the entrance driveway.
- A vertical curb and gutter is also proposed on the north side of Kachina Drive from the west property line of the school to Dry Creek Road.
- As the proposed development of the property will increase the peak runoff from existing natural conditions, detention is required. A small detention area is proposed in the west portion of the site. This basin has been designed to mitigate increased storm runoff.
- The site will be fairly extensively graded to construct the driveways, parking areas and the buildings. The applicant proposes to retain as many existing trees and other vegetation as possible.
- The north portion of the school buildings will be buried approximately 4 feet into the natural elevation of the site.
- The APS and cable TV lines currently crossing the site will be relocated underground along the east side of the property. All necessary utility services are either on or adjacent to the property. The existing utility easement will be maintained or expanded, if necessary, to accommodate proposed utilities. The proposed school building does not encroach on this easement.

Wastewater disposal

- The school proposes to construct a sewer line from the campus to Dry Creek Road, and tie into the Sedona wastewater system. It is proposed that this new line will allow the Sedona Public Library to hook up as well.

- A preliminary wastewater design report has been prepared that shows that the wastewater from the school at build out could be treated via an on-site system to be located in the southeast corner of the site.

Architectural design

- The overall form made by the proposed buildings is a “U” shape around a central courtyard. Buildings define three sides of the courtyard. The fourth or north side faces Kachina Drive and is screened by a berm, existing native trees, and new planting.
- The applicant’s letter of intent states that the *“intent of the site design is to create a secure environment for young children and also to help contain some of the activity of the school”*. Thus, the buildings are oriented inward, with all of the doors toward the courtyard.
- The primary circulation routes from one building area to the next and to the principal play areas are also screened from the neighborhood.
- The future multi-purpose building (to be constructed in phase 3) is located on a sloping area of the site. This takes advantage of the natural grade to create a sloped seating area with minimal site grading.
- The buildings are proposed to be built in keeping with the surrounding neighborhood and the Sedona Public Library has been used as an appropriate precedent for design.
- Formal elements included from the library building’s design include the structure of the building as a column and beam building with low walls and extensive glazing as infill between the columns. Gently sloped roofs and clerestory windows are also common elements.
- The palette of materials is inspired directly by the library building: natural sandstone-clad columns, stuccoed masonry walls, green asphalt shingle roofing, exposed laminated wood beams over large expanses of glass.
- The principal differences between the library and school buildings are that the library is two stories while the school is only one, and the overall footprint of the buildings is different, with the school’s courtyard form a result of its different function. A drawing showing the design consistencies between the library and the proposed school is included on sheet A-8 of the Commission’s packet of plans.
- The maximum overall height of the buildings fall below the 22 foot plane measured parallel to natural grade. The overall height of the building at its highest point is 21 feet above natural grade.
- Unrelieved wall heights are under the permitted height of 20 feet.
- Minimum massing requirements for the structure have been achieved.
- All mechanical equipment will be ground mounted and screened by appropriate walls, landscaping, etc.

Landscaping

- Significant natural vegetation exists on the northerly areas of the site, and to the south. The school intends to retain this vegetation in as natural a state as possible, and to augment the existing plants to increase the screening of the site from the street.
- An outdoor lab will be built with a pond and gardens.

- The entire site will be landscaped with plants and trees appropriate to Sedona. An approximately 4 foot high berm is also proposed to screen the school buildings from Kachina Drive and to provide security and privacy.
- A pedestrian trail will be built and landscaped to connect Kachina Drive through the Sedona Charter School site to the library and on to Dry Creek Road.
- The master site plan notes that there are 94 existing trees on the site. The buildings have been carefully situated to disturb only about 26% of the existing trees when the master plan is complete. At build out, 69 of these trees are proposed to remain (74%).
- The applicant notes that more trees will be planted than are proposed to be removed.
- In phase 3 the supervised play area will be relocated to the south of the parking lot as shown on the master site plan. The applicant proposes to integrate the play uses into that portion of the site with minimal grading and no loss of trees.

Signage

- Small non-illuminated signs will be placed at the entrance drives.
- These signs will identify the campus and also provide traffic direction information.

Outside lighting

- Low level security lighting from cut-off fixtures will be building mounted.
- Parking areas will be lighted by low level (less than 3 feet high) luminaries or bollards that project light downwards. The parking area lights is expected to be on only during evening activities in the parking areas.
- Under the building overhangs shielded security lighting will be mounted with motion sensors.
- No 24-hour lighting is proposed.
- No lighting is proposed on the playground facilities.

COMMENTS AND CONCERNS

Community Development

Long Range Planning Division:

- The current Community Plan designation for the subject property is Low Density Single-family residential, but it borders on the T-2 Transitional, Multi-family and Public/Semi-public land use designations. The Plan recommends that schools be located with immediate collector street access and minimize intrusion on adjacent residential areas. The proposed location is very close to a major collector street (Dry Creek Road) with signalized access to Highway 89a. Although approximately 9 or 10 residential lots could be directly affected by the school and attendant traffic, the location is not deep within a residential area and represents a very small percentage of the adjoining neighborhood.
- The Community Plan Transitional Area descriptions are also intentionally somewhat flexible. Staff suggests that it can be argued that the T-2 Transitional Area could include the subject property, particularly where major community benefits such as the Navoti Drive extension can be realized. The school is also very compatible with the adjacent library (cited in the Plan as a compatibility issue for T-2), and other community-oriented uses in the vicinity. Other cited

benefits include good opportunities for pedestrian linkages between the library, theater and the highway. The proposed T-2 Zoning District also would allow schools.

Current Planning Division:

- Staff presented a detailed list of comments and concerns to the applicant as part of the staff level review for this project. Most of these comments and concerns have been addressed in a new submittal of this project received by staff early in November following the Development Review meeting held on November 3, 1999. Other comments and discussion on the proposed development is provided below.
- As is further described below, staff is supportive of granting the Conditional Use Permit and Development Review for the Sedona Charter School at this location on Kachina Drive subject to suggested conditions of approval.
- There are some minor discrepancies between the site, grading and phase 1 landscaping plans, including for example, the location of the sidewalk on the east side of the property. These must be resolved and addressed as a part of the building permit application for the phase 1 development. This will be addressed as a suggested condition of approval.
- A Demolition Permit must be obtained from the Department of Community Development prior to the demolition of the existing house. This will be addressed as a suggested condition of approval.
- A Land Combination Permit must also be filed with the Department of Community Development prior to issuance of a building permit. This will be addressed as a suggested condition of approval.
- The driveway entrance and exit is proposed to be constructed at 26 feet in width. Staff is of the opinion that this is excessively wide given that these driveways will function as part of a one-way loop through the school. Staff suggests that the driveways could be narrowed to a maximum of 22 feet. This will be addressed as a suggested condition of approval.
- Staff is concerned with the impact of the proposed road widening improvements to Kachina Drive. Kachina Drive as it now exists is a narrow local road used exclusively by the residents of Kachina subdivision and their guests. The section of Kachina Drive from the school eastward to Dry Creek Road is heavily vegetated on its north and south sides with existing trees and other vegetation. Furthermore, a relatively steep cross slope exists on the north side of the roadway. Numerous driveways and a poorly functioning drainage ditch are located on the south side of the roadway. However, as the Commission may recall from the conceptual review hearing held in August, 1999, many Kachina residents spoke passionately about the vegetated character of Kachina Drive as a result of the trees being located close to the pavement, and its narrow pavement width as being attractive qualities that they desired to maintain. At this stage of the project's review, the applicant has not completed detailed design studies for the section of Kachina Drive east of the school. Staff suggests that alternative design studies must be prepared for Kachina Drive east of the school so that a determination can be made of the impact of those designs on existing trees, driveways, grading and retaining wall needs, etc.. While cost to the school is an important consideration with the regard to the selection of a final design, the impact of the road on existing trees, driveways, visual considerations, etc. will also be taken into account in selecting a final alternative. The location of the proposed sidewalk must also be carefully considered in this evaluation. Staff therefore

suggests that prior to the issuance of a building permit for phase 1, alternative design studies for Kachina Drive must be submitted to the Department of Community Development and City Engineering Department for review and approval. This will be addressed as a suggested condition of approval.

- Similarly drawings showing the sidewalk to be constructed on White Bear Road and the sidewalk and drop-off area proposals in the Sedona Public Library must be submitted for review and approval prior to the issuance of a building permit for the phase 1 buildings. This will be addressed as a suggested condition of approval.
- Staff suggests that the pick-up lane around the school should be clearly identified by appropriate striping. This will be addressed as a suggested condition of approval.
- Staff is supportive of the applicant's plans to incorporate at least 25 feet of right-of-way for the proposed Navoti Drive connector road on the west side of the subject property. If the applicant is able to eventually purchase the 2 parcels west of the subject property, then Navoti Drive would be designed to align with Moki Drive at its intersection with Kachina Drive.
- The existing gravel drive on the east side of the subject property is located in an existing access and utility easement. This easement may have to be modified to permit the establishment of a permanent pedestrian access pathway along the east property line from Kachina Drive to the Sedona Public Library. Similarly, staff assumes that easements will have to be granted by the Sedona Public Library for the use of their property for a permanent pedestrian pathway. A suggested condition of approval will require that all easements must be amended, established and recorded prior to the issuance of a building permit for phase 1 construction.
- Careful review of the grading plans show that drainage improvements are proposed on a portion of the Sedona Public Library property. Staff suggests that written authorization from the library for these improvements must be provided to the Department of Community Development prior to issuance of a building permit for phase 1. This will be addressed as a suggested condition of approval.
- Staff is supportive of the applicant's plans for minimizing the impact from exterior lights at the school, especially the proposal not to have 24-hour security lighting in place.
- Schools with outdoor playground areas will inevitably generate more noise than the existing ambient sound level at the subject property. In all applications for Conditional Use Permits by the Sedona Charter School and other schools in the Sedona area, the subject of noise has always been raised as an issue. In a previous application for a Conditional Use Permit for a local school, it was suggested that staggered recess times might help to reduce the amount of sound created by children playing outdoors. Staff is of the opinion, however, that while this appears to make sense, it also lengthens the amount of time children are playing outside and thus making noise in the neighborhood as fewer children over a longer period of time does not necessarily mean that much less sound. In discussing this concept with the applicant it was agreed not to implement a program of staggered recess times.
- Staff is supportive of the school's proposal to present a traffic circulation plan to the parents of each student. Enforcement of the traffic circulation plan is the responsibility of the school. This will be addressed as a suggested condition of approval.
- A suggested condition of approval will require the placement of directional signs at the driveway entrance and exit.

- Staff is supportive of the layout and design of the proposed school campus. It appears to have been carefully thought out in terms of function, accessibility, architectural compatibility with the Sedona Public Library, and compatibility with neighboring single-family residences.
- The school has stated that they currently have a car pooling program in place for students who attend school at the White Bear Road facility. Staff suggests that an aggressive car pooling program should be developed and maintained at the new school facility on Kachina Drive for the obvious reason of reducing traffic on both White Bear Road and Kachina Drive as much as possible. This will be addressed as a suggested condition of approval.

Building Safety Division

- Comments on building safety, wastewater, ADA and UBC requirements have been provided to the applicant.
- The Interim Wastewater Ordinance allows the connection of a public purpose structure to the City wastewater system when approved by the City Council.
- Total wastewater capacity fees for the school have been calculated for each phase of development and provided to the applicant. These are payable to the City upon issuance of the building permit for that phase.

City Engineering Department

- The City cannot make a commitment on when sewer hookup to the subject property will be available.
- Therefore it is recommended that the applicant should pursue design of an on-site wastewater disposal system. A suggested condition of approval will require installation of an on-site wastewater system and/or connection to City sewer prior to issuance of a Certificate of Occupancy for the phase 1 building.
- Full street improvements along Kachina Drive, including the sidewalk, are the applicant's responsibility. This will be addressed as a suggested condition of approval.
- Documentation must be provided showing that the neighbor to the west of the subject property is aware that 25 feet of their property will be necessary for the proposed Navoti Drive connector road. This will be addressed as a suggested condition of approval.
- All drainage and grading issues previously identified have been adequately addressed and resolved.

CH2M Hill - Consultant Traffic Engineers

- The traffic projections presented are reasonable for the development proposed.
- Support for the willingness of the Sedona Public Library to work with the school to permit morning drop-offs at the library, thereby reducing traffic impacts on Kachina Drive.
- Disagreed with the statement that "*Kachina Drive is overcapacity per its existing ADT, and needs to be widened*". It is agreed that Kachina Drive has a narrow pavement width at 17 foot, but it is not over capacity.
- Concern that the left turn storage proposed on White Bear Road in the AM peak hour may be inadequate. Following the current improvements to Dry Creek Road, 75 feet of storage will be available. There is a need for as much as 100 feet for the 107 vehicles predicted in the AM peak hour.

- While it was agreed that the existing 17 foot wide pavement width at Kachina Drive is a concern, it was noted that the “*roadway is functioning adequately with the low traffic volumes*” under current conditions. If a sidewalk is added to Kachina Drive, it is recommended that it be placed on the south side to match the improvements being implemented on Dry Creek Road. This will also alleviate the need for the crosswalk.
- The proposed school development is proposing to increase the PM peak hour volumes by 388% (24 vehicles vs. 117 vehicles). This represents a significant increase in traffic on a narrow residential street. The traffic pattern associated with picking up children at a school, means vehicles will be entering and leaving the site within several minutes. This will drastically increase the probability of opposing traffic confronting each other on Kachina Drive, and this is the concern with maintaining traffic on a 17 foot wide road.
- Disagreement with the recommendation that this development should have partial responsibility for the improvements on Kachina Drive. The development will significantly change the traffic patterns on Kachina Drive and the developer should be responsible for upgrading the facility to meet the need. It is recommended that the developer should participate 100% in the upgrade of Kachina Drive, because without this development the roadway would continue to provide adequate service in its existing condition.

Yavapai County Flood Control District

- No major objection to the proposed development. However as the District does not regulate watercourses with a contributing drainage basin area of less than 80 acres, responsibility for a comprehensive review rests with the City of Sedona Engineering Department.

Sedona Fire Department

- An automatic fire sprinkler system is required in the building.
- An approved water supply capable of supplying the required fire-flow shall be provided.
- Two additional fire hydrants are required at locations identified by the Fire Marshall. Tentatively these are on Kachina Drive on the west side of the westernmost driveway exit and possibly at a location behind the Sedona Public Library. A site visit will determine the need for an additional hydrant in this area.
- An automatic fire alarm system may be required for the school.
- Details on required fire alarms, fire extinguishers, key and security gate procedures, etc. have been provided to the applicant.

Sedona Police Department

- Concern with the increase in traffic on Kachina Drive because of its current sub-standard nature. Concern that the Police Department will receive an increase in complaints regarding such issues as noise, speed, etc.
- The Department was also concerned with the potential increase in pedestrian activity on Kachina Drive noting that children do not always use sidewalks and pathways unless supervised.

APS

- Recommended that the school contact them with regard to their plans to underground the existing overhead line on the site as this could be complicated and expensive.

Arizona Water Company

- Existing water storage and well capacity are adequate to serve this project.
- Existing water distribution facilities are available.

ANALYSIS

Staff's review focused on:

Compliance with ordinance and reviewing agency requirements

Ordinance requirements and reviewing agency concerns have either been satisfied or will be through application of conditions of approval.

Consistency with the Sedona Community Plan

The development proposal is consistent with the Low Density Single-family Residential designation on the Sedona Community Plan Land Use Map.

Compliance with Conditional Use Permit findings

"Educational institutions ..." require approval of a Conditional Use Permit in the RS-35 (Single-family Residential) zone. Section 402.06 of the Land Development Code requires that the following findings shall be made before granting a Conditional Use Permit.

- A. *That the proposed location of the conditional use is in accordance with the objectives of the Code and the purpose of the zoning district in which the site is located.*
- B. *That the granting of the Conditional Use Permit will not be materially detrimental to the public health, safety or welfare. The factors to be considered in evaluating this application shall include:*
 - 1. *Property damage or nuisance resulting from noise, smoke, odor, dust, vibration or illumination.*
 - 2. *Any hazard to persons and property from possible explosion, contamination, fire or flood.*
 - 3. *Any impact on surrounding area resulting from unusual volume or character of traffic.*
- C. *That the characteristics of the use as proposed and as may be conditioned are reasonably compatible with the types of use permitted in the surrounding area.*
- D. *That the proposed use, as it may be conditioned, will comply with the applicable provisions of this Code, and other ordinances.*

E. *That the proposed expansion or change of a non-conforming use (if applicable) is no more deleterious to other properties in the surrounding area than the existing use.*

It is staff's opinion that the applicant's proposal to establish the Sedona Charter School on the subject property meets the necessary findings.

The RS-35 (Single-family Residential) zone, like all other residential zones, is intended for the establishment of school facilities. Indeed, the Land Development Code permits "educational institutions" in the RS-35 zone with a Conditional Use Permit. The school is proposed in a location adjacent to the Sedona Public Library, and it serves as a buffer between the higher density Del Sol condominiums and the KAZM commercial radio station property to the south, and the Kachina neighborhood. The proposed use of the site is consistent with the criteria provided in the Sedona Community Plan for locating schools as well as the uses permitted in the T1 and T2 Transitional zoning districts which border the property. The T-2 Transitional zoning district could indeed be construed as to include the subject property. As noted in the applicant's letter of intent the area in which the school is proposed *"already accommodates a mixture of land uses, and the proposed school is a good fit because it allows for a natural transition from the more intense commercial and multifamily uses along SR 89A to the Kachina neighborhood"*.

In staff's opinion, granting the use permit will not be materially detrimental to the public health, safety or welfare. No excessive smoke, odor, dust, vibration or illumination will occur as a result of the establishment of the school in this area, nor is there a likelihood of possible explosion, contamination, fire or flood. The applicant has committed to reduced light levels at the school site yet still satisfying acceptable safety standards, and exterior lights will only operate when the school is in use. Additional sound will be generated by children playing in the outside play area during recess times, and at lunch time. In staff's opinion, the applicant has done as much as realistically possible to mitigate the sound of the children playing outdoors. The master site plan shows that efforts have been made in the planning and design of the school to mitigate sound, by for example, building placement, retention of existing trees and the planting of additional trees and shrubs to create a buffer, and the construction of a berm and buffer planting area to limit sound emanating from the school. Furthermore, outdoor play times are limited for certain periods between 9:00 a.m. and 3:00 p.m. Indeed the applicant notes in the letter of intent that *"children at play are not a nuisance, but rather an integral part of a vibrant neighborhood and community"*.

Traffic will be increased on the section of Kachina Drive east of the school especially during the afternoon peak hour. During the morning peak hour, there should be no significant increase in traffic as students will be dropped off in the parking area of the Sedona Public Library. The Traffic Impact Analysis (TIA) concluded that the proposed Sedona Charter School *"will have impacts on the existing transportation network"* and that the *"implementation of the recommendations as outlined (in the TIA) will mitigate the impacts of the development and provide safe and efficient traffic operation in the vicinity of the site"*. As noted elsewhere in this staff report the school proposes to mitigate its impact on the local road network by contributing to the widening of Kachina Drive to a 22 foot pavement section from the west property line to Dry Creek Road, providing curb and gutter along this section, installing a sidewalk on either the north or south side of Kachina Drive, installing

school warning signs to the east and west of the school, designing the internal traffic flow on the school site in a one-way loop and by establishing a staggered class release/pick-up schedule in the afternoons. The applicant states in the letter of intent that *"the school is willing to contribute their proportionate share of the cost to improve Kachina Drive between the school's western boundary and the town's Dry Creek Road/Kachina Drive intersection improvement project, as may be reasonably conditioned, upon the granting of the conditional use permit for the Sedona Charter School construction"*. However, as noted previously in this staff report the City Engineering Department has recommended that the school should participate 100% in the upgrade of Kachina Drive, because without this development the roadway would continue to provide adequate service in its existing condition. In staff's opinion the most significant traffic mitigation strategy used by the school is to only use Kachina Drive in the afternoons for pick-ups of students and to provide for morning drop-offs at the Sedona Public Library. For this offer of cooperation the Sedona Public Library should be acknowledged. Also, the school plans to construct a permanent pedestrian walkway from Kachina Drive through the school and the Sedona Public Library and along the south side of White Bear Road. This is a significant public benefit.

The Sedona Charter School's proposal complies with all ordinance requirements as conditioned. As noted above, in staff's opinion, the establishment of the school on the subject property should not prove detrimental to the overall public health, safety or general welfare.

The applicant has not requested a minimum time frame for the Conditional Use Permit. Even though the applicant is establishing a permanent structure and facility on the subject site, the Director of Community Development has recommended that a 10 year time frame for the use of the property should be established. This is consistent with a past approval of a Conditional Use Permit for a permanent school (Terra Rosa Charter School) by the Planning and Zoning Commission. This will provide a reasonable period of time in which to assess how well the school has worked in this location, and how well any impacts from the school have been mitigated through application of conditions of approval. The granting of a Conditional Use Permit is a privilege and not a right, and thus if any conditions of approval are not adhered to by the applicant, then the Conditional Use Permit will be brought back to the Planning and Zoning Commission for reconsideration. At that time the Commission may either amend the terms of the original Conditional Use Permit, revoke the Conditional Use Permit or grant a new Conditional Use Permit subject to new conditions of approval.

Consistency with the Development Review Ordinance (DEV)

In considering an application for Development Review approval, the review process is guided by the following criteria noted in Section 401.06 of the Land Development Code:

- *The degree to which all of the applicable provisions of this Code and all other ordinances have been complied with.*
- *The degree to which the proposed development of buildings, uses or structures conforms to the design standards as set forth by the Design Review Manual.*
- *The degree to which the proposed development integrates the proposed built environment into the natural environment with minimal disturbance to view corridors, existing native*

- vegetation and/or established landscaping, the natural topography of the site, natural drainage ways, known wildlife habitats, rock outcrops, and other natural features.*
- The degree to which the proposed development integrates into, and is compatible with, the built form of surrounding properties and existing developments with regard to building height and character, landscaping, signage, building materials, historical structures or features, and pedestrian and vehicular circulation.*
- That the proposed use is in general conformance with applicable goals, objectives and recommendations described in the Community Plan and adopted specific plans.*
- The degree to which proposed vehicular ingress, egress, internal traffic circulation, off-street parking facilities, loading and service areas and solid waste collection are designed to promote public safety and convenience.*
- The degree to which pedestrian circulation is facilitated both on and off-site through interconnected passages, pathways and plazas, and is designed to promote public safety and convenience.*
- The degree to which the proposed development addresses concerns cited by participating reviewing agencies with jurisdiction in the areas of public health and safety.*

In reviewing Section 401.06, staff finds the proposal consistent with the Development Review Ordinance and the Design Review Manual in the following ways:

- The proposal meets ordinance requirements, is consistent with applicable goals and objectives of the Community Plan, and as conditioned, will satisfy reviewing agency requirements.
- The proposed vehicular and pedestrian accommodations relating to site ingress, egress, and internal and external traffic circulation, and off-street parking facilities appear to have been planned in accordance with accepted traffic planning standards. Safe ingress and egress to the project has been provided via the new one-way driveways from Kachina Drive, and through the improvements to Kachina Drive that staff recommends should be the 100% responsibility of the applicant as previously identified in this staff report. A system of pedestrian pathways will connect the Sedona Charter School with Kachina Drive, the Sedona Public Library and White Bear Road.
- The proposed architectural style is respectful of and compatible with Sedona's character and unique environmental setting, and is in accord with the principles set forth in the Design Review Manual. The design of the school buildings emulates the established design vernacular of the Sedona Public Library and fits well with the neighborhood. The buildings have been broken into different masses which provide interest, red sandstone is proposed as an accent throughout the project, and the use of horizontal elements in the design help to reduce the apparent height of the buildings.
- The proposed development provides a unique addition to the architecture of Sedona. Proposed landscaping, lighting and building materials are consistent with established design and development standards. Pedestrian and vehicular circulation have been coordinated with the rest of the property and surrounding properties as much as possible.

- The buildings appear to be well broken up with varying wall planes and heights, and a variety of exterior colors and textures are used on the building. The proposed buildings comply with the City's massing and overall building height requirements.
- Building materials and colors are cited as desirable in the Design Review Manual. Light reflectance values under 38% on the stucco walls and roof are proposed.
- Exterior lighting consistent with the Land Development Code goals of preserving Sedona's night sky is proposed, while at the same time providing an acceptable level of security and safety.
- Existing trees and plants will be retained where possible. Proposed supplementary landscaping is consistent with the list of suggested adaptive plants incorporated into the Design Review Manual.

RECOMMENDATION

Based on compliance with all ordinance requirements and satisfaction of the Conditional Use Permit findings and the Development Review Section of the Land Development Code, and general consistency with the Community Plan and Design Review Manual, staff recommends approval of case number CUP99-6 and DEV99-13 subject to all applicable ordinance requirements and the attached conditions of approval:

Recommended Motion for Approval

I, (*Commissioner*) move for approval of case numbers CUP99-6 and DEV99-13 based on compliance with applicable Land Development Code requirements and the conditions as outlined in the staff report.

Alternative Motion for Denial

I, (*Commissioner*), move for denial of case number CUP99-6 and/or DEV99-13 based on the following findings (*specify findings*).

(Please note that the above motions are offered as samples only and that the Commission may make other motions as appropriate.)

CONDITIONS OF APPROVAL
Sedona Charter School -- CUP99-16 and DEV99-13

1. The Conditional Use Permit approval shall be valid for a period of ten years and shall expire two weeks after the closure of the 2009/2010 school year. If the applicant chooses to continue operation of the Sedona Charter School on this property, then an application to renew the conditional use permit shall be submitted to the Department of Community Development by May 1, 2009. At that time the Planning and Zoning Commission shall reevaluate the school based on consistency with City ordinances and the conditions of approval.
2. The Development Review approval shall be valid for a period of one year and shall expire on December 7, 2000 provided that a valid building permit for phase 1 of the project has been issued and the project is under construction. Subsequent phases of the project shall be constructed in accordance with the phasing schedule provided by the applicant.
3. A maximum of 200 students shall be permitted at the Sedona Charter School.
4. Prior to the issuance of grading and building permits, the applicant shall satisfy the following conditions and provide written documentation of such compliance to staff:
 - A. Review and approval by the City Engineer of detailed grading, drainage and dust control plans and a comprehensive drainage report. The grading plan shall be amended to include the following revisions:
 - (i) The driveway entrance and exit width shall be reduced to 22 feet. This correction shall also be made on the architectural site plan and landscape plan.
 - (ii) The pick-up lane around the school shall be clearly identified on the plan with appropriate striping.
 - B. Alternative design studies shall be prepared for the proposed roadway improvements on Kachina Drive from the west property line to Dry Creek Road so that a determination can be made of the impact of those improvements on existing trees, driveways, grading and retaining wall needs, etc.. The location of the proposed sidewalk shall also be considered in this evaluation. These alternative design studies for Kachina Drive shall be submitted to the Director of Community Development and the City Engineer for review and approval.
 - C. Detailed construction plans showing the sidewalk to be constructed on White Bear Road and the sidewalk and drop-off area proposals on the Sedona Public Library property must be submitted for review and approval to the Director of Community Development and the City Engineer.
 - D. All building and site plans submitted in application for a building permit must be in substantial conformance with the plans as reviewed and approved by the Planning and Zoning Commission. Proposed changes to the approved exterior building materials

- determined to be substantial by the Director of Community Development shall require reconsideration by the Planning and Zoning Commission at a public meeting.
- E. A detailed landscape plan shall be submitted and reviewed and approved by the Director of Community Development. Said plan shall substantially reflect the intent of the preliminary landscape plan as approved by the Planning and Zoning Commission.
 - F. The site plan, grading plan and landscape plans must be carefully coordinated and all discrepancies resolved.
 - G. A detailed lighting plan with lighting cut sheets of all exterior lights shall be submitted by the applicant, and reviewed and approved by the Director of Community Development.
 - H. Drawings showing the placement and method of screening or painting of all mechanical equipment shall be submitted and reviewed and approved by the Director of Community Development.
 - I. A Demolition Permit shall be obtained from the Department of Community Development prior to the demolition of the existing house.
 - J. A Land Combination Permit shall be filed with the Department of Community Development.
 - K. All easements required to allow the establishment of a permanent pedestrian access pathway along the east property line from Kachina Drive to the Sedona Public Library, and those easements required to be granted by the Sedona Public Library for the use of their property for a permanent pedestrian pathway shall be amended and established as necessary, and recorded. Copies of all required recorded easements shall be provided to the Director of Community Development.
 - L. A copy of written authorization from the Sedona Public Library for the proposed drainage improvements required on the library property shall be provided to the Director of Community Development.
 - M. Documentation must be provided showing that the owners of the properties to the west of the subject property are aware that 25 feet of their property will be necessary for the proposed Navoti Drive connector road.
5. Prior to the issuance of certificates of occupancy, staff shall verify that all construction is in substantial accordance with the plans as submitted, reviewed, and approved by the Planning and Zoning Commission, and meets the following conditions:
- A. All on-site improvements shall substantially conform with the plans on which grading and building permits were issued.

- B. Those buildings within the project that do not connect to the City wastewater system shall have been connected to the on-site effluent treatment and disposal system and an "Approval to Operate" shall have been granted by the Arizona Department of Environmental Quality and/or Coconino County Health Department (whichever has jurisdiction).
- C. After notice is given to the applicant that wastewater service is available, all buildings shall be connected to the City of Sedona wastewater collection system and all applicable capacity and connection fees shall have been paid.
- D. Installation of all proposed landscaping shall be complete and in accordance with the approved landscape plan.
- E. All outside lighting shall have been installed in accordance with the approved plans. All lighting sources shall be aimed or shielded so that the direct illumination is confined to the subject property boundaries and so no light is directed above the horizontal plane. Staff shall conduct a night inspection and if deemed necessary, additional shielding will be required.
- F. All new utility lines shall be provided through underground installation.
- G. All mechanical equipment and trash receptacles shall be completely screened from surrounding areas by use of a wall, fence, landscaping or shall be enclosed within a building.
- H. All requirements of the Sedona Fire Department shall have been satisfied.
- I. The roofs on all buildings shall be painted or surfaced with a material with an LRV of less than 38%.
- J. All areas of cut and fill shall be landscaped or dressed in such a manner as to reduce the potential for erosion.
- K. Exterior paint samples shall be applied to large wall sections of the building for review and approval by the Planning and Zoning Commission and City staff.
- L. Applications for sign permits for all signs proposed in the project (including the directional signs to be placed at the entrance and exit on Kachina Drive) shall be submitted for review and approval by the Director of Community Development.
- M. The pick-up lane around the school shall be clearly identified by appropriate striping.
- N. An aggressive car pooling program to reduce vehicle trips shall be established and implemented, and documentation of the program provided to the Department of Community Development and the Planning and Zoning Commission.

- O. School zone warning/caution signs shall be placed on Kachina Drive to the satisfaction of the City Engineering Department to alert motorists of the location of the school.
 - P. All approved improvements to Kachina Drive from the west property line of the school to Dry Creek Road shall be completed to the satisfaction of the City Engineer. The Sedona Charter School shall be responsible for 100% of the design and construction costs associated with the completion of the roadway improvements, including the sidewalk, on Kachina Drive.
6. All site and building lighting shall be turned off when the school is not in use.
7. A traffic circulation plan shall be given to all parents advising them of how to drop-off and pick up their children at the school. A copy shall be submitted to the Director of Community Development and the City Engineering Department for review and approval. Further the school shall be responsible for enforcement of the traffic circulation plan and to ensure that all parents follow the plan.



DEPARTMENT OF COMMUNITY DEVELOPMENT
Current Planning Division

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SUMMARY SHEET
Sedona Charter School/Purtymun-Bennet Cabin—CUP2007-5
Conditional Use Permit

Staff Recommendation: Approval, with conditions

Parcel number: 408-02-079

Meeting date: September 4, 2007

Applicant: Sedona Charter School

Project Summary: Request to use the historic Purtymun-Bennet Cabin as a pullout classroom and a rental facility for small community events.

Location: 215 Kachina Drive

Site size: .759 acres

Current zoning: RS-35

Current land use: Residential

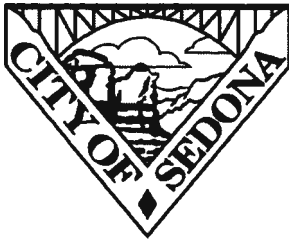
Current SCP designation: Single-family low density.

	<u>Area zoning</u>	<u>Area land uses</u>
North:	RS-35	Single-family residential/Kachina subdivision
South:	RS-35	Undeveloped
East:	RS-35	Sedona Charter School
West:	RS-35	Single-family residential/Kachina subdivision

Report prepared by: Beth Escobar, Associate Planner

Attachments:

1. Vicinity Map
2. Letter of Intent
3. Site Plan (2)
4. Floor Plan
5. Aerial Map



Current Planning Division

STAFF REPORT

To: Planning and Zoning Commission

Through: John O'Brien, Director
Nicholas Gioello, Senior Planner
Department of Community Development

From: Beth Escobar, Associate Planner
Department of Community Development

Meeting date: September 4, 2007

Applicant: Sedona Charter School

Case number: CUP2007-5

BACKGROUND

Representatives of the Sedona Charter School, located at 165 Kachina Drive, first met with staff in April of 2007 to discuss a Conditional Use Permit to allow for the use of the historic Purtymun-Bennet Cabin, located on the property adjacent to and east of the charter school location, as a pullout classroom and a rental facility for small community events. Discussions were also held regarding the historic landmark process for the cabin. The applicant submitted the required documents and plans for the Conditional Use Permit review on July 2, 2007.

SITE CHARACTERISTICS

- The subject property is located south of Kachina Drive, approximately 1,000 feet west of the intersection of Kachina Drive and Dry Creek Road.
- The subject property is approximately .759 acres and has four existing structures, including the Purtymun-Bennet Cabin that was constructed as a homestead in 1922 and relocated to the property in 1959 according to county records, and another residential building, constructed in 1957. Both of these units are rented as residences. There are also two small accessory buildings on the property.
- The subject property slopes gently from the northwest to the southeast.
- The 100-year floodplain impacts the southern property line.
- An existing overhead power line crosses the property from the northwest to the southeast.

DEVELOPMENT PROPOSAL

- The applicant is proposing to use the Purtymun-Bennet Cabin, which is currently used as a residential rental unit, for a pullout classroom to support educational activities of the Sedona Charter School. The other residential building on the subject property will continue to be rented as a residential unit.
- The cabin is proposed to be used for teacher-led arts, writing and history projects of groups of approximately 15 students.
- Students and teachers will walk over from the main school building to access the cabin and the applicant intends to create a gravel walkway from the parking lot of the Sedona Charter School.
- The applicant is also proposing to rent the cabin to groups and individuals, for small community events, to compensate for the annual rental income of \$9,000 that would be lost through conversion of the cabin from a residential rental unit to a classroom. The cabin would be made available during non-classroom hours, from 4 p.m. to 9 p.m. on weekdays, and 10 a.m. to 9 p.m. on weekends.
- Concurrent with the Conditional Use Permit application, the applicant has begun the process to designate the cabin as a historic landmark. This application is scheduled to be discussed by the Historic Preservation Commission at their September 4, 2007 meeting.
- The applicant proposes to refurbish the cabin by removing the swamp cooler from the roof and replace with a streamlined interior HVAC unit, replace the asphalt shingle roof, and restore the lawn area in front of the cabin with Bermuda grass to create an outdoor play area.
- The parking area for the Sedona Charter School, adjacent to the subject property, will be used for parking for any community events scheduled at the Purtymun-Bennet Cabin.

Access and Traffic

- Access to the Purtymun-Bennet Cabin will be limited to the parking lot of the Sedona Charter School. The existing gravel driveway to the cabin property will be replaced with the proposed grass playground area. ADA parking is available on the eastern parking area of the Sedona Charter School. The gravel walkway that is proposed to connect the Sedona Charter School parking area with the Purtyman-Bennet Cabin will be constructed to ADA standards.
- Access to the Sedona Charter School site is from Kachina Drive. The school has a U-shaped, one-way driveway that accesses the parking lot. The entrance is the driveway to the east; the exit is the driveway to the west. The school uses a staggered student drop-off/pick-up schedule as well as encouraging a car-pool program. A detailed Traffic Impact Analysis was included in the review material for the school's initial Conditional Use Permit application. At the time of this analysis, the level of service for the Kachina Drive/Dry Creek road intersections was level A.
- The applicant notes in the letter of intent that there will be no increase in student-related traffic as a result of this Conditional Use Permit.
- It is estimated that the traffic generated by community events at the Purtymun-Bennet Cabin will be minimal. Currently, the main school building is used for community events without causing any major traffic impact.

Parking:

- The Sedona Charter School site has 38 parking spaces. These will be available for use to any groups renting the Purtymun-Bennet Cabin for community events.

Grading/Drainage

- There are no existing drainage issues on the subject property and no activity associated with this Conditional Use Permit will alter the existing conditions.

Vegetation/Landscaping

- The applicant will be adding a grass area in front of the Purtymun-Bennet Cabin. No other changes to the existing vegetation and landscaping on the subject property are proposed.

Signage

- The applicant may add a historical landmark sign near the cabin. No other signs are proposed.

Lighting

- No additional outside lighting is proposed.
- There is an existing, non-conforming exterior light that is partially shaded by the porch overhang.

COMMENTS AND CONCERNS

Community Development – Long Range Planning

Consistency of Proposal with Community Plan

The key issue addressed by the Community Plan is the preservation of historic resources. The Plan states that it is a community goal to “develop a sense of historic pride within the community” (Community Plan, Element 16.0 Historic Preservation, Goal 1.0, page 16-7). The Plan also defines the cultural benefits of preservation as follows: “The cultural foundations of Sedona are reflected in its historic heritage. The preservation of this heritage, as a living part of our community life and development, will enhance a sense of orientation for the residents” (Plan, §16.1.2, page 16-5). The Plan also identifies the objective and defines the means for preservation through historic landmark designation (Plan, Goal 1.0, Objective 1.1, page 16-7).

The preservation of the Purtymun-Bennett cabin will be accomplished in two ways:

- 1) Through restoration efforts that include the removal of the non-original roof-mounted swamp cooler and replacement of the roof with a similar and fire-resistant material; and
- 2) Through formal application for consideration as an historic landmark by the Historic Preservation Commission. Once the property has been designated as a local historic landmark, it is the responsibility of the owner to maintain, preserve and protect the exterior form and materials in their original condition and to ensure the cabin’s historic integrity.

The proposed re-use of the cabin as a “pull out classroom” and as a source of rental income associated with community programming is consistent with the Community Plan objective to “develop compatible use opportunities for historic structures...” (*Plan, Goal. 1.0, Objective 1.3,*

page 16-7). It is also consistent with the goals of the Historic Preservation Commission to encourage adaptive re-use of historic buildings.

Section 5.2.2 E of the Community Plan essentially defers to locational and development criteria in the Land Development Code for charter and private schools, but notes that school facilities should be sited to minimize intrusion on adjacent residential areas. (*Plan, page 5-31*).

The proposed use will complement student learning at the Montessori-based school, provide a successful re-use of an historic building, and provide public access to a unique, cultural resource in the community.

Community Development - Current Planning

- The Sedona Charter School was chartered in 1994 for a maximum of 200 students. It is a non-profit, tuition free school for grades K-8. The enrollment for the 2007/2008 school year is 147 students.
- The applicant, Sedona Charter School, has a lease/purchase option on the subject property. They own the parcel to the east of the subject property, where the Sedona Charter School is located, and the parcel to the south of the subject property that is currently undeveloped.
- The applicant contacted 154 neighboring properties by mail with a description of the proposal. No responses were received. Staff has received no comments regarding this Conditional Use Permit application.
- A Conditional Use Permit was approved by the City of Sedona in December of 1999 to allow for operation of the Sedona Charter School for a maximum number of 200 students on the eastern parcel adjacent to the subject property. This Conditional Use Permit expires two weeks after the closure of the 2009/2010 school year.
- As discussed in the letter of intent, the applicant reserves the right to return the cabin to a residential use if the operation as a pullout classroom and community event facility proves to be an economic liability for the school.

City of Sedona Building Safety Division

- The Chief Building Inspector conducted a site visit to the Purtymun-Bennet Cabin and has no concerns regarding the proposal.
- A pre-permit inspection of the structure will be required prior to a certificate of occupancy being issued.

City Engineering Department

- Engineering has no concerns with the proposal.
- Each of the two individual residential units on the subject property are connected to the City's wastewater system.

Historic Preservation Commission

- The Historic Preservation Commission conducted a site visit on August 6, 2007 to the Purtymun-Bennett Cabin and also discussed the application for a Conditional Use Permit.
- The Commission voted unanimously to support the application for a Conditional Use Permit for the re-use of the historic cabin as a pullout classroom and for community enrichment classes.

Sedona Fire District

- The Fire Marshall conducted an on-site inspection of the cabin and provided the applicant with details of the requirements to be completed prior to occupancy by the public.
- A smoke detector must be installed.

ANALYSIS

Staff's review focused on:

Compliance with ordinance and reviewing agency requirements

Ordinance requirements and reviewing agency concerns have either been satisfied or will be through application of conditions of approval.

Consistency with the Sedona Community Plan

The development proposal is consistent with the Sedona Community Plan's focus on preservation of historic resources.

Compliance with Conditional Use Permit findings

Per the Land Development Code, Section 603.02.B.4, "*Educational institutions, including charter schools and private schools, provided they offer a curriculum of general instruction similar to public schools subject to the requirements as set forth in 914*" are a permitted use subject to Conditional Use Permit.

Section 402.06 of the Land Development Code Development Code requires that the following findings shall be made before granting a Conditional Use Permit:

- A. *That the proposed location of the Conditional use is in accordance with the objectives of the Code and the purpose of the zoning district in which the site is located.*
- B. *That the granting of the Conditional Use Permit will not be materially detrimental to the public health, safety or welfare. The factors to be considered in evaluating this application shall include:*
 1. *Property damage or nuisance resulting from noise, smoke, odor, dust, vibration or illumination.*
 2. *Any hazard to persons and property from possible explosion, contamination, fire or flood.*
 3. *Any impact on surrounding area resulting from unusual volume or character of traffic.*
- C. *That the characteristics of the use as proposed and as may be conditioned are reasonably compatible with the types of Use Permitted in the surrounding area.*
- D. *That the proposed use, as it may be conditioned, will comply with the applicable provisions of this Code, and other ordinances.*
- E. *That the proposed expansion or change of a non-conforming use (if applicable) is no more deleterious to other properties in the surrounding area than the existing use.*

It is staff's opinion that the request for a Conditional Use Permit to use the historic Purtyman-Bennet Cabin as a pullout classroom and rental facility for small community events on the subject property meets the necessary findings. The applicant completed an extensive review for the Conditional Use Permit granted for operation of the Sedona Charter School in 1999. During this review it was determined that the school as proposed met all the requirements of Section 914 of the Land Development Code which details development standards for educational institutions.

The letter of intent indicates that the applicant plans to replace the dirt and gravel area north of the cabin with Bermuda grass to create a lawn area and secondary play area for students. Staff agrees that the existing vegetation on the property along Kachina Drive sufficiently screens the play area. However, staff does not support the use of Bermuda grass as it is a discouraged groundcover in the Design Review Manual, and staff has included a Condition of Approval regarding use of a native or adaptive groundcover.

Staff is supportive of the applicant's plans to landmark the historic cabin and restore the existing structure. Granting of the Conditional Use Permit to allow for rental of this facility for small events would allow the greater Sedona community access to this privately held historic resource. The applicant discusses in their letter of intent that each room of the cabin can accommodate 15-20 people. Staff is concerned that groups of forty people might overwhelm the space and impact the surrounding residential neighborhood; therefore, staff is suggesting a Condition of Approval that limits rental of the cabin to groups of no more than 20 people. In staff's opinion, this is a comfortable number for the interior of the cabin. Parking is adequate at the school site for this number of attendees.

As part of the consideration of this Conditional Use Permit, staff is suggesting a condition of approval requiring the replacement of the non-conforming porch light with a fully shielded light fixture.

The applicant states in the Letter of Intent that they want to *"reserve the right to rent the cabin as a residence if we are unable to secure grants and/or create funding programs to replace the lost residential rental income."* The cabin currently generates \$9,000 in annual rental income as a residence. The use of the subject property for multi-family rental is an established legal, non-conforming use. According to the Yavapai County Assessor's office, the subject property has been assessed at a multi-family rate for over twenty years. According to Section 1204.02.A of the Land Development Code:

"No nonconforming building, structure or use which ceases to be used for a period exceeding 6 months or is superseded by a conforming use, shall again be devoted to the nonconforming use except as otherwise provide in §1204.02 (B)."

Section 12404.02(B) states that a non-conforming use can be restored within 12 months of damage caused by a natural catastrophe.

Staff recognizes the financial risk the applicant is taking to convert the current use of the Purtyman-Bennet Cabin from a residential rental to a pullout classroom and small rental facility. Staff further understands that the six month period allowed in section 12404.02.A of the Land Development Code for discontinuance of a non-conforming use may not be a long enough time period for the applicant to determine whether the new Conditional use, if approved by the Planning and Zoning Commission, of the Cabin is a financially viable project. Section 1204.04

(B) allows for the Director to grant an administrative waiver of the six-month time period "*if a change in use is from an impermissible to a permissible use, but full conformance with current standards cannot be achieved.*" Staff interprets this section to mean that the Director has the discretion to extend that six month period and is therefore offering a condition of approval that allows for extension of the legal non-conforming use for a period of twelve months from the beginning of the Purtyman-Bennet Cabin as a non-residential unit. Staff believes this gives the applicant an adequate amount of time to evaluate the use as proposed in the Conditional Use Permit application.

Since the applicant will need to submit an application for renewal of the existing Conditional Use Permit for the school in 2010, staff is suggesting that the Conditional Use Permit for the Purtyman-Bennet Cabin be granted for a period of three years so that the applicant can consolidate the application process in the future.

RECOMMENDATION

Based on compliance with all ordinance requirements and satisfaction of the Conditional Use Permit findings of the Land Development Code, staff recommends approval of case number CUP2007-5 subject to all applicable ordinance requirements and the attached conditions of approval:

Recommended Motion for Approval

I move for approval of case number CUP2007-5, based on compliance with all ordinance requirements and satisfaction of the Conditional Use Permit findings and applicable Land Development Code requirements, consistency with and conformity to the Community Plan and the conditions as outlined in the staff report.

Alternative Motion for Denial

I move for denial of case number CUP2007-5, based on the following findings (*specify findings*).

(Please note that the above motions are offered as samples only and that the Commission may make other motions as appropriate.)

CONDITIONS OF APPROVAL
Purtymun-Bennet Cabin
CUP 2007-5

1. The Conditional Use Permit approval shall be valid for a period of three years and shall expire two weeks after the close of the 2009/2010 school year. At least 63 days prior to the expiration date, the applicant shall file a renewal application of the Conditional Use Permit. The Planning and Zoning Commission shall then reevaluate the pullout classroom and community event use based on consistency with City ordinances, the conditions of approval, and compatibility with the surrounding area. During this period, staff will complete annual reviews and assessments of the project to ensure that its operation is consistent with the Land Development Code requirements and applicable conditions of approval and that the use of the cabin as a pullout classroom and community event facility is not having a negative impact on the surrounding residential neighborhood.
2. The use of the Purtyman-Bennet Cabin shall be as specified in the Letter of Intent dated July 10, 2007.
3. After 12 months of continuous use as a pullout classroom and community event facility, the legal, non-conforming use of the subject property as a multi-family residential unit shall expire.
4. The Purtyman-Bennet Cabin shall be rented for use by groups of no more than 20 persons at one time.
5. An ADA acceptable pathway shall be constructed from the parking lot of the Sedona Charter School to the entrance of the Purtyman-Bennet Cabin prior to an issuance of a certificate of occupancy.
6. Prior to commencement of the use as a pullout classroom and community event facility, the Building Safety Division and Current Planning Division of the City of Sedona, and the Sedona Fire District Fire Marshall shall have completed an on-site inspection of the subject property.
7. Prior to commencement of the conditional use, the applicant shall have secured historic landmark designation for the Purtyman-Bennet Cabin.
8. Prior to commencement of the conditional use the applicant shall submit a letter stating the selection of a native or adaptive groundcover as listed in Appendix A of the City's Design Review Manual shall be planted instead of the Bermuda grass noted in the letter of Intent.
9. The existing vegetation and landscaping along the northern property boundary that provides screening for the proposed play area must remain and be properly maintained. Any vegetation in this area that dies must be replaced.
10. Prior to commencement of the conditional use, the non-conforming porch light shall be replaced with a conforming and fully shielded light fixture to the satisfaction of the Community Development Director.

11. Within thirty days of approval of the Conditional Use Permit, the property owner of record of subject property voluntarily agrees to sign and record a waiver acknowledging their waiver of any right to claim just compensation for diminution in value under A.R.S. §12-1134 related to the granting of this Conditional Use Permit.



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Memo

TO: Planning and Zoning Commission

FROM: Nicholas R. Gioello, Senior Planner

SUBJECT: A Day in the West Plaza
Conditional Use Permit, CUP2010

DATE: June 1, 2010

The applicant is proposing to operate a jeep tour office within the existing building and an outdoor jeep staging area with overnight parking of jeeps. An outdoor grill with seating for dining is also proposed. Additionally, an outdoor farmers market with a number of booth type structures are proposed with the intent of local vendors selling locally grown organic fruits and vegetables and locally made retail items. The interior of the existing building would contain the jeep tour office, restaurant kitchen and retail shop.

This item is scheduled for the July 6, 2010 Public Hearing.

Attached for your review are the following documents:

1. Vicinity Map
2. Applicant's Letter of Intent
3. Staff's initial comment letter



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Current Planning Division

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ngioello@sedonaaz.gov**

May 11, 2010

John Bradshaw
PO Box 2487
Sedona, Arizona 86336

Dear John:

RE: CUP2010-2, A Day in the West Plaza

Department of Community Development staff have completed a preliminary review of the submitted materials for the above referenced project and have the following comments which are presented in no particular order of importance:

1. Please address the following issues in the letter of intent:
 - The letter of intent states 20 outdoor seats while the site plan shows 16.
 - Provide a description of the booths and what they are constructed of. Will they be permanent or temporary? Is it anticipated that all booths will be occupied every day or is it likely that some booths will be vacant from time to time?
 - Please describe how you will insure that the various vendors will have valid Arizona Tax Licenses and that Sedona will receive its share of tax revenue.
 - Please expand the parking narrative and include the number of available parking spaces in other areas of all three of the parcels. The Crystal Castle building requires 10 spaces, and the other building with OPC usage requires 2 to 3 spaces. The narrative should include details of how jeep tour drivers will operate, i.e. will they only come to the property when needed to drive a jeep or will they be available during operating hours for any tourists who happen to come on-site. What percentage of tours are expected to originate on-site and what percentage will be picked up at lodging locations. Staff is concerned with the parking narrative that indicates employees will park in the Uptown lot and ride the Roadrunner transit to the location. It is currently uncertain if the transit system will remain operational given the current economic conditions. Staff believes it is important to show that if the transit system is eliminated, there is still ample area for parking on the other parcels, and that is also why staff would like those parcels included in the CUP. Staff is also concerned that it seems unlikely that booth vendors will park in the uptown area, assuming that they will be bringing items for sale to and from the property potentially on a daily basis.
 - Please indicate that all requirements of the Coconino County Health Department will be met regarding food handling for the barbeque grill and farmers market.

2. Please address the following concerns/comments regarding the site plan:
 - Show an ADA parking space near the building.
 - Show the parking areas and estimate the number of potential spaces in each area, for all three parcels. Indicate which spaces are needed for A Day in the West usage.
 - Please eliminate the parking space closest to the driveway intersection with the highway; the Land Development Code requires a 40-foot stacking length from the edge of pavement of the highway.
 - Show the location of the free-standing sign.
 - Please label the area proposed for jeep loading/unloading. Will it be in conflict with parking spaces for the public?
3. Staff has assessed the parking needs based on the submitted site plan. Staff estimates that 12 spaces are needed for the building and the outdoor booths and dining areas. However this only assumes 16 seats as shown on the site plan, if 20 seats are proposed (as stated in the letter of intent) an additional space may be required. Also this assessment does not include additional parking for the jeep tour drivers, since it is unclear at this point how this part of the business operates until more information is submitted. Staff will then assess the parking needs and several more parking spaces may be required.
4. Please provide supplemental drawings showing elevations of the booths. Indicate the materials and color.
5. Please consult with David Peck, Assistant Engineer, regarding sewer capacity fees for the proposed uses.
6. Staff is concerned that the proposal does not include the other two parcels for parking and circulation. Staff feels it is necessary to include the other adjoining parcels as part of the Conditional Use Permit. In this case it will ease the ability to show parking and circulation in these other areas without having to write easements and parking agreements. A revised letter of authorization from the property owner will be needed to include these parcels.

Any other ideas or comments on this application will be provided to you at the Development Review meeting described below. Copies of comments and concerns provided by the other review agencies will be provided to you at this meeting.

The Project Review meeting for your proposal will be held in the Department of Community Development Conference Room at 104 Roadrunner Drive on **Thursday, May 27, 2010 at 9:30 a.m.** Please be prepared to address our comments and concerns at this meeting, and provide any data and materials requested. If plan revisions are required, we suggest bringing one set of revised site plans for discussion. Additional sets to be included in the Planning and Zoning Commission packet, modified as necessary, must be submitted by **June 14, 2010**. The Citizen Participation report will also be due at this time.

The preliminary work session for this project will be tentatively scheduled on **Tuesday, June 1, 2010 at 5:30 p.m.** Please plan to attend this session during which staff will introduce the project to the Planning and Zoning Commission.

Please remember that the regular work session has been tentatively scheduled on **Thursday, July 1, 2010 at 3:30 p.m.** and that the Planning and Zoning Commission's public hearing has been tentatively scheduled on **Tuesday, July 6, 2010 at 5:30 p.m.** You must attend all of these meetings. An agenda will be provided to you with a copy of the staff report when it is distributed to the Commission a few days prior to the regular work session.

If you have any questions or comments on this matter, or require any additional information, please call me at the numbers provided above.

Sincerely,

Nicholas R. Gioello, Senior Planner
Department of Community Development

Planning and Zoning Commission
102 Roadrunner Drive
Sedona, Arizona 86336

**A DAY IN THE WEST
PRELIMINARY CODE REVIEW
LETTER OF INTENT**

RECEIVED
APR 27 2010
CITY OF SEDONA
COMMUNITY DEVELOPMENT

PROPOSED DEVELOPMENT

John Bradshaw, representative of the Bradshaw Brothers, LLC, doing business as "A Day in the West", proposes to establish a commercial venture consisting of a variety of outdoor recreation opportunities such as off road vehicle ticking and staging area, local artist / jewelry retail sales indoor as well as an outdoor Farmers Market with a barbeque grill and local artist statues.

EXISTING OPERATIONS:

A Day in the West has been in operation for more than 10 years and is located at 252 N. Highway 89A in Sedona, Arizona. The operation has a Special Use Permit with the Coconino National Forest to provide jeep tours on a variety of trails, roads and/or locations within the USDA/FS management districts. Currently, the jeeps are housed at 441 Forest Road and 90 Airport Road in Sedona. Tourists and travelers desiring a jeep tour contact the company and arrange for shuttle pick up from a variety of hotels and restaurants in Sedona. After being picked up, the clients are shuttled to the property and board the jeeps for tours throughout Sedona and the National Forest.

In 1998, a Special Use Permit, for a similar operation was approved by the Board of Supervisors with seventeen (17) conditions. This permit was used in good standing and should be a shining example of how this operation will be utilized.

PROPOSED DEVELOPMENT OUTSIDE

John Bradshaw, representative of the Bradshaw Brothers, LLC, doing business as "A Day in the West", proposes to establish a commercial venture consisting of a variety of outdoor recreation opportunities such as off road vehicle tours with staging area, Farmers Market, organic outside Barbeque grill as well as local artist statues. The outside grill will be used for Barbeque with seating of less then twenty (20).

PROPOSED DEVELOPMENT INSIDE

John Bradshaw, representative of the Bradshaw Brothers, LLC, doing business as "A Day in the West" proposes an indoor ticket sales and staging area for off road vehicles, remaining building area will be designated for retail sales of jewelry, leather goods and handmade furniture. Cold sandwiches will be prepared in the kitchen and for sale at an outside booth.

STATUS OF COMMERCIAL KITCHEN

There will be cold sandwiches prepared and available at one of the outside Farmers Market booths.

No cooking will be done inside the building. There is a grease traps inside the building.

RESTROOM FACILITIES

There are two restrooms inside the main building. One is not ADA accessible with one toilet and one sink. The second restroom is ADA accessible with one toilet and one sink.

There is an ADA accessible restroom on the property that is fifty (50) feet from the main building in a Time share booth.

PROPERTY

The property APN 40118030 L owned by Carl Scarlata consists of slump block building and 0.18 acres of parking area.

The parcel is located at 301 Hwy 179 between Schenebly hill road and 89A round about area. It is adjacent to Tlaqapaque Market and the Crystal Place.

The property is zoned commercial.

PROPOSED USE/ SITE PLAN

The Bradshaw Brothers, LLC desire to expand the operation and incorporate the proposed 0.18 acres plus the one thousand six hundred forty two (1642) square footage building as a "staging and "retail establishment" located to the North into the business plan.

In addition to the off road vehicle tours, the property will provide additional opportunities to experience a Sedona local home grown Farmers Market with a barbeque as well as local artist statue displays.

A temporary covered area to the south west end of the building will be set up with booths to accommodate those individuals interested in bringing goods to sell at the Farmers Market.

There are no time share marketing operations planned to be used, executed or operated in this Proposed Use Site Plan.

PROPOSED USEAGE OF INTERIOR BUILDING

Square footage usage

The Bradshaw Brothers, LLC desire to expand the operation and incorporate the proposed 0.18 acres one thousand six hundred forty two (1642) square footage building as a "staging area" located to the North into the business plan.

Three hundred fifty (350) square feet will be designated for a staging and ticketing area for off road vehicles.

The additional footage of the building nine hundred forty two (942) square feet will be designated for local vendors who specialize in handmade retail, jewelry and furniture items. Cold sandwiches will be prepared in the kitchen area of three hundred fifty (350) square feet and sold outside at one of the Farmers Market booths.

SITE PLAN / DESIGN

The site plan demonstrates the proposed location at 301 Hwy 179 (see attachment Site Plan)

EXISTING STRUCTURE

One thousand six hundred forty two (1642) square footage building with 0.18 acre parking area.

BUILDING AND BOOTH PLACEMENT

Building placement (see site plan map)

Proposed booths: One main Portable Booth with addition smaller portable booths for items displayed with Farmers Market.

BOOTH USAGE OUTSIDE

One main booth will be proposed for organic grown vegetables and fruits by local farmers / vendors who live within a sixty (60) mile radius of Sedona, Arizona. There will be three to four smaller booths proposed for retail items handmade by local vendors such as leather goods, cosmetic and toiletry items organically made with natural products.

VENDOR ITEMS TO BE SOLD

Organically grown fruits and vegetables as well as handmade and or natural / organic cosmetic or toiletries items such as natural lotions, body scrubs, soaps.

BOOTH RENTALS

All Booths will be rented out to local farmers/ vendors / individuals / groups who live within a sixty mile radius of Sedona, Arizona and desire to sell goods which correspond with the above descriptions. (organically grown / Natural products and handmade)

OFF ROAD VEHICLE STAGING AREA OPERATION HOURS

Monday through Sunday. 10:30 am - 5:30 pm

FARMERS MARKET WITH BOOTHS OPERATION HOURS

Monday through Sunday . 10:30 am - 5:30 pm

PARKING

Employees are encouraged to park in uptown Sedona's public use parking lot and make use of the public transit. Customers and guest will park on the property to the east, north and south of the property. Parking proximity to transit stop and pedestrian connection is approximately 75 yards from the parking area directly in front of site plan building. Off road vehicles will park in the allotted spaces only.

TRASH

Trash pick up will occur once a week, the dumpster is on the property.

CITIZEN PARTICIPATION PLAN

A Day in the West will do the following to ensure effective citizen participation in conjunction with their application giving citizens an opportunity to understand and learn about the application proposed and how it may affect them as well as how to work through all concerns.

We will contact property owners, homeowners, other parties interested, and residents with a letter informing them of the Site Plans, how they may be potentially affected with the opportunity to meet publicly to discuss any concerns.

CONCLUSION

The existing site development is in conjunction with the community plan allowing for a Farmers Market; it was additionally identified in the City of Sedona's Sky Plan as a desired activity in this area.

There will be limited impact to the adjacent residents and business owners.

The site plan possibly will bring additional and positive business to adjacent business.

PARCEL INFORMATION / LEGAL DESCRIPTION

Parcel Information

APN Parcel Address (Physical)

40118030L 301 HWY 179

Owner Primary

SCARLATA CARL

Owner Secondary

Mailing Address

PO BOX 10595

City	State	Zip
SEDONA	AZ	86339

Subdivision

HARTS VILLAGE

Lot Parcel Area

0.18AC

Legal Class

COMMERCIAL

Last Recorded Deed or Sale

Recorded Date

Sale Price

12/21/2004 \$0

Deed Type

WARRANTY DEED

Instrument

3298913

Values

Taxes

2008 Taxes Billed

\$2,924

2007 Taxes Billed

\$0

2006 Taxes Billed

\$0

Improvements

Property Type

Use Code

Effective Age

Living Area

County Permits

Rec

Permit Num

Date

Type

Location

Township/Range/Section

T17N/R06E/S07

Legal Description (Abbreviated)

HARTS VILLAGE SUB PT LOT 1 BLK 5 & OAK CR DR BEG NW COR LOT 1 TH
SELY ALNG LEFT CURVE ON E R/W HWY 179 116.03' THN 42DEG 36MIN E
85.15' TH N 21DEG 19MIN E 64' TO C/L OAK CR DR TH WLY ALNG C/L OA K CR
DR 135' M/L TO INTRSECT OF ER/W HWY 179 & OAK CR DR THSELY A LNG L
CURVE ON E R/W HWY 179 15' M/L TO NW COR LOT 1& POB LESS 2750SQ FT
STATE OF ARIZ & LESS ADOT 3445784

Districts

Supervisor District

3

Supervisor

Matthew G. Ryan

School District

SEDONA - OAK CREEK USD # 9

Vicinity Map

Parcel #
401-18-030L &
401-18-030M
A Day in the West
Plaza

- Parcel #401-18-030L/M
- Zoning Boundary
- Parcel Boundary
- Building Footprint
- Oak Creek
- Trail
- Road Centerline

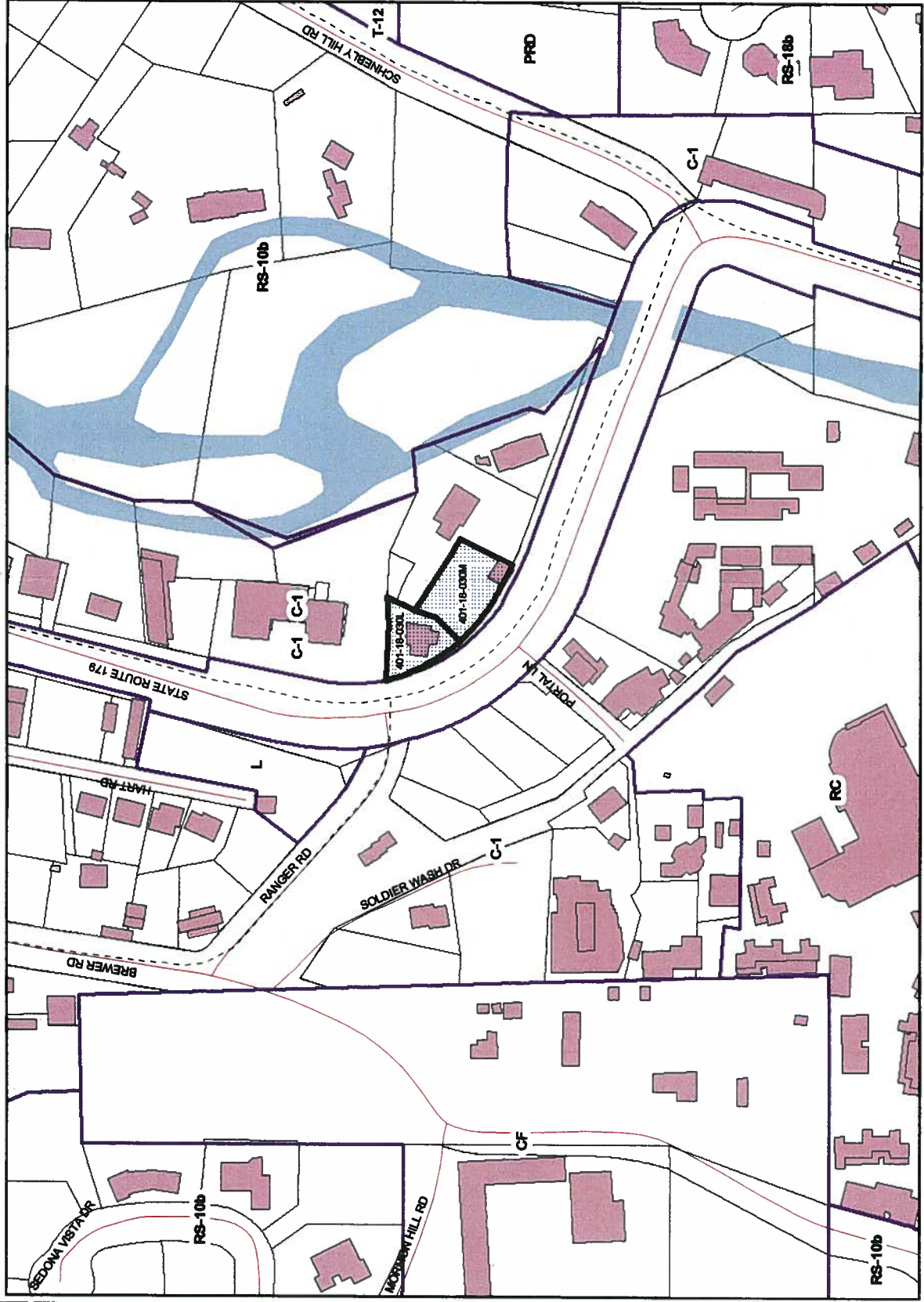


0 60 120 Feet

City Index



City of Sedona
Planning Department
2010
This map is a vicinity map and does not constitute a final map. It is intended to provide a general overview of the location of the subject property within the city of Sedona. The map is not to be used for legal purposes. The City of Sedona is not responsible for any errors or omissions on this map.





DEPARTMENT OF COMMUNITY DEVELOPMENT

Current Planning Division

104 Road Runner Drive

Sedona, Arizona 86336

Tel: 928-203-5044

Fax: 928-204-7125

TDD: 928-282-3113

bescobar@sedonaaz.gov

SUMMARY SHEET

The Falls at Oak Creek

TE2010-1

(Related case numbers ZC2007-1 and DEV2007-1)

Time Extension Request

Action requested: Approval of a Zone Change and Development Review Time Extension

Staff recommendation: Approval, with conditions

Parcel numbers: 401-26-011A & 401-26-019D

Meeting date: June 1, 2010

Applicant: Don and Catherine Campbell/Campbell Family Trust

Project summary: Time extension request for a 47-unit single-family condominium development

Location: 1156 SR 179 (Oak Creek Mobil Lodge)

Site size: ± 3.88 acre

Current/Proposed Zoning: PRD (Planned Residential Development)

Current land use: Mobile Home Park (Legal, non-conforming)

Current SCP designation: MH (Mobile Home)

	<u>Area zoning</u>	<u>Area land uses</u>
North:	RS-18b	Single-family residential
South:	RS-18b	Single-family residential
East:	RS-18b	Highway 179 and single-family residential
West:	RS-18b	Oak Creek and single-family residential

Report prepared by: Beth Escobar, Associate Planner

The Falls at Oak Creek Time Extension Request project summary:

The applicant is requesting a 3-year time extension of the zone change and development review approval for The Falls at Oak Creek. The zone change for this project was approved by City Council on August 12, 2008. The Planning and Zoning Commission approved the development review for this project on July 1, 2008. Both approvals expire two years from the date of Council approval on August 12, 2010.

Strengths:

- The project completed an extensive review and underwent a series of modifications in response to comments from the Planning and Zoning Commission, the public, including owners of adjacent properties, and staff prior to approval.
- The project, when completed, will provide seven affordable housing units.

Weaknesses:

- Due to the delay in beginning construction, the applicant was unable to coordinate the construction of the required southbound right-turn lane with the improvements to SR 179. ADOT has completed the improvements to the highway along the applicant's front property line. These improvements include a sidewalk and a two-foot block masonry wall with a one-foot wrought iron fence on top along the property frontage.

Economic Impact

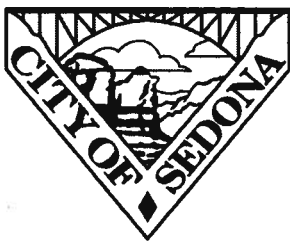
- Approximately \$304,000 in development impact fees would be generated by this project.
- Income for building permits would be generated by this project.
- There are already 59 existing sewer hook-ups on the site, so no additional sewer connection fees are anticipated for this project.
- Construction sales tax would be generated.

Recommendation:

In staff's opinion, the applicant has demonstrated that he has met the criteria for a time extension and staff is recommending approval with conditions.

Attachments:

1. Aerial Map
2. Vicinity Map
3. Letter of Intent
4. Emails from the applicant supplementing the Letter of Intent
5. Approved site plan
6. Architectural rendering of approved project
7. Landscape Plan



Current Planning Division

STAFF REPORT

To: Planning and Zoning Commission

Through: John O'Brien, Director *JOB*
Nicholas Gioello, Senior Planner *NG*
Department of Community Development

From: Beth Escobar, Associate Planner *BE*
Department of Community Development

Meeting date: June 1, 2010

Applicant: The Campbell Family Trust/Don & Cathy Campbell

Case number: TE2010-1

BACKGROUND

The Campbell Family contacted staff in November 2009 to discuss the process of obtaining a time extension for the zone change and development review approval. The application was submitted on March 26, 2010. Review requests were sent out to the typical agencies. These agencies expressed no concerns about the time extension requests; therefore a project review was not scheduled. The introductory worksession with the Planning and Zoning Commission was held on April 29, 2010. Staff's report from the July 1, 2008 Planning and Zoning Commission meeting was included in the material for the April 29, 2010 meeting. This report describes the project in full detail.

PROJECT SYNOPSIS

The applicant is proposing to develop a 47-unit single-family residential condominium project on the site of the existing Oak Creek Mobile Lodge. The existing 59 mobile homes will be removed and five new buildings are proposed to be constructed. Four of these buildings will be aligned along the creek and the fifth will be inset towards the center of the site. Parking is in front of the units. The architectural style is a mix of territorial and lodge themes with the use of pitched shake roofs, dark colors and river rock. The architect for the project plans to pursue LEED certification under the LEED Home Project program.

As part of the approved project, the applicant will construct a new southbound right-turn lane into the project.

APPLICATION HISTORY

The Planning and Zoning Commission held the first conceptual review of this project on March 6, 2007. A second hearing was held on December 4, 2007 to review changes made to the project in response to comments made by the Planning and Zoning Commission at the first review. Having

received a positive response to the changes, the application was scheduled for action by the Planning and Zoning Commission on July 1, 2008. At this meeting the Planning and Zoning Commission approved the Development Review (DEV2007-1) and recommended approval of the Zone Change (ZC2007-1) and Preliminary Plat (SUB2007-1) for this project. On August 12, 2008 the City Council approved the Zone Change and Preliminary Plat.

TIME EXTENSION CRITERIA

Section 400.11.B & C and Section 401.12.B & C of the Land Development Code provide the criteria for the Planning and Zoning Commission to use when considering a request for an additional prescribed time period for zone change and development review approval:

In the consideration of time extension requests, the zone change and development review approvals are considered subject to revocation unless the applicant provides substantial evidence that:

B.1. In spite of the good faith efforts of the applicant, circumstances beyond his control have prevented the timely pursuit of the development and completion of the necessary requirements within the original authorized time period; or

B.2. The applicant has completed substantial property improvements, incurred substantial non-recoverable monetary expenditures or commitments; or has completed supporting development improvements, or retained the services for preparation of supporting data in reliance upon the approval of the request.

B.3. In either instance, the applicant is, in good faith, continuing to diligently pursue implementation of the development to the degree authorized by the City.

The applicant is required to meet only one of the criteria described in B.1 and B.2.

The Land Development Code also states that extension of previously approved zone change and development review applications may be subject to the following:

C.1 Modification of previously required conditions of approval as warranted by interim changes in the area, and/or to ensure continued compatibility with any improvements within the context area.

C.2 Site plan revisions as necessary to comply with ordinance or code amendments that may have taken effect since the time of the original approval.

The application for the time extension request is required to be filed at least 63 days prior to the expiration date of the original approval. This application was submitted within the required time frame.

ANALYSIS

Criterion #B.1: *In spite of the good faith efforts of the applicant, circumstances beyond his control have prevented the timely pursuit of the development and completion of the necessary requirements within the original authorized time period:*

As outlined in the applicant's Letter of Intent, the applicant has tried to facilitate the construction of this project by finding an investment partner and by attempting to acquire a loan for the project. Two major obstacles have prevented the applicant from achieving this goal. The first, obviously, is the economic recession that had such a negative impact on the housing sector of the economy. The applicant received approval of this project just one month before the collapse of major Wall Street firms, and the subsequent impact on the economy and lending institutions, began. Staff has been informed by many sources that the traditional financing avenues for residential projects are not currently available. The estimate of economic analysts as to when this segment of the economy will recover varies from next year to 2020.

The second obstacle the applicant has had to deal with while trying to obtain financial investment for this project is the SR 179 improvement project that began shortly after approval was granted for The Falls at Oak Creek. This project is estimated to be completed early this summer. It is possible that the ongoing construction was an additional discouragement to potential investors.

Criterion #B.2: *The applicant has ... incurred substantial non-recoverable monetary expenditures or commitments, or has completed supporting development improvements...*

Per information provided by the applicant in the Letter of Intent and subsequent emails, the applicant has incurred the following expenses since the original approval of this project in pursuit of the development:

- Pursuant to Condition of Approval 6.E, the applicant spent an additional \$38,208 in finalization of the Letter of Map Revision (LOMR) to revise the FEMA flood plain map to accurately depict the existing conditions of the site.
- \$900 was spent for a three-dimensional architectural rendering of the project to be placed in the Arizona Real Estate magazine.

These expenses total \$39,108.

In addition, the applicant has provided information regarding ongoing expenses in maintaining and retaining the property including \$33,355 in bank loan fees and property taxes and \$193,000 in park maintenance fees for the calendar year 2009. Also, the applicant became involved in a legal conflict with ADOT during construction of the SR 179 improvement project. The applicant's court costs to settle this conflict totaled \$15,509. These expenses are not relevant to Criterion #2 since they are not directly related to completion of the project but provide information on the applicant's overall financial commitment to the property.

Criterion C.2: *The previously approved zone change and development review applications may be subject to site plan revisions as necessary to comply with ordinance or code amendments that may have taken effect since the time of the original approval.*

On January 26, 2010 the City Council adopted amendments to the Sedona Land Development Code regarding text revisions to Article 10, Design Review Manual, Article 4, Review Procedures, Article 6, District Regulations and Article 9, Landscaping. These changes became effective May 26, 2010. Staff provides the following analysis as to how the approved project conforms to the recently adopted changes:

Article 10: Design Review Manual

It is staff's opinion that the project conforms to the intent of the Design Review Manual. Please refer to pages 21-23 of the July 1, 2008 staff report. The design of the site in relation to the existing topography, the preservation of the large existing trees, restoration of the riparian habitat, and responsiveness to the concerns of the neighboring property owners all reflect respect for the Sedona Area Sensitive Design Principles outlined in the Design Review Manual.

Article 4: Review Procedures

Not applicable.

Article 6: Building Heights and Massing

The ordinance changes do not apply to multi-family developments.

Article 9: Landscaping

The existing vegetation on the site is unique due in part to the inclusion of a riparian area along the western boundary and the existence of large deciduous trees throughout the site. Staff conducted a review of the approved landscape plan in relation to the new ordinance and notes the following:

Amendments to Section 910.05.D.1: Fifty percent of all trees shown on the landscape plan must be evergreen species.

The Falls at Oak Creek's approved landscape plan does not meet this criterion due to the preservation of 46 of the 77 existing deciduous trees on the site which skews the percentage calculation. To complement these existing trees new plantings of similar deciduous species along the perimeter of the project are proposed. The height of the existing canopy trees in the central area of the project creates a heavily shaded environment, limiting the choices for the under-story plants, including the exclusion of the majority of native evergreen species. Plans to restore the riparian area along the creek frontage include removal of invasive species and planting of native evergreens. In staff's opinion, and the opinion of the Planning and Zoning Commission when they approved this project, the landscape design for this project is appropriate to the unique area in which it is located.

Section 910.05.M.2: A landscape peninsula with a minimum width of five feet and a maximum length of 14 feet is required for every 7 linear parking spaces.

The approved landscape plan does not meet this criterion. The parking area was condensed to

preserve the maximum number of existing canopy trees. As designed, these trees line the perimeter of the parking area and because of their height (20-30 feet) they provide shading to the parking area. Once again, it is staff's opinion that the approved landscape plan meets the intent of the landscaping ordinance because it preserves existing trees and provides shading and screening of the parking area, even during the winter because of the dense pattern of tree limbs.

The proposed landscaping for this project is in conformance with the remainder of the recently adopted changes. In staff's opinion the landscape plan approved for The Falls at Oak Creek is appropriate for the site. Any attempt to adapt the approved landscape plan to the new landscape ordinance could conflict with the reality of the site and might put this delicate riparian area at risk. As part of the new Landscaping Ordinance, Section 910.05.O, the Director has the discretion to approve alternatives to the requirements of this section of the code. Because of the unique environment where this project is located, the landscape plan as proposed is an acceptable alternative.

The applicant has received preliminary plat approval for this condominium project. Per Section 704.06 of the Land Development Code this approval will expire on August 12, 2011, three years from the original approval unless the final plat has been approved and recorded. The applicant is aware of this requirement. If the preliminary plat approval expires the applicant would need to reinitiate the subdivision approval process. If the zone change time extension request is denied, the plat is no longer valid.

No input from the public regarding this time extension request has been received either by staff or the applicant.

In summary, staff is supportive of the 3-year time extension request for this project. Recent time extension approvals have been granted for a variety of time periods as shown in the following table:

Time Extension Applications						
Project	Description	Original Approval	Original Expiration Date	Time Extension Approved	Amount of extension	Comments
The Preserve at Oak Creek	158 Single-family condominiums	3/14/2006 (DEV, ZC, & PP)	3/14/2008	3/14/2010	24 months	Expired
Airport Road	Mixed-use	12/18/2007 (DEV)	12/18/2009	1/22/2012	25 months	
Kallof Place	Mixed-use	8/22/07 (DEV)	8/22/2009	9/11/2010	25 months	
Red Rock Lodge	22 Lodging units	4/8/08 (DEV & ZC)	4/8/2010	4/8/2012	24 months	
La Tierra Plaza	Phase II-Office building and trailhead parking lot and Phase III-40-unit lodge	3/13/2007 (DEV & ZC)	3/12/2012 3/12/2015	Permanent, with construction of trailhead parking area within one year	Permanent	

Staff would note that zone change approvals, such as the one for The Falls at Oak Creek, require an extra level of evaluation over a development review application since the City Council must grant approval. This entails an additional public hearing and may result in more fine-tuning of the project. Also, a zone change application is required to provide community benefits, such as open space preservation or an affordable housing contribution. The community benefits will be lost if the project is not constructed.

Although a three-year extension is more time than approved for most of the previous projects, staff believes that the time period is appropriate for a project of the scale of The Falls at Oak Creek. A three-year extension provides the applicant two years after recording of the Final Plat, which must include the posting of financial assurances for completion of the project, to finalize building plans, obtain a building permit and begin construction. Construction of this project will require extensive engineering, including design of the required right-turn lane and verification of finished-floor levels in relation to the existing floodplain and detailed construction drawings for each of the five buildings. The City's review of the construction plans may take several months due to the complexity of the project.

The three-year extension period also takes into consideration the slow recovery of the Arizona housing market and allows the applicant a reasonable time to secure financing for the project.

The sections of the Land Development Code relevant to time extension requests provide no criteria for the length of the time to be granted. Each of the recent time extension requests in the table above were evaluated based on the unique features of the project and the time frame the applicant was requesting.

Staff would point out that this project is a good example of the collaborative planning process. The architect was very responsive to the comments received from the Planning and Zoning Commission and did extensive work with neighboring property owners to address their concerns. During the Council hearing the architect was able to redesign the project to provide an additional affordable housing unit. Staff is supportive of the time extension as one means to preserve the results of this collaborative process and retain the associated community benefits. The subject properties are not located in an area identified for any long range planning goals, such as a Special Planning Area or the West Sedona SR 89A corridor. Therefore, a 3-year extension of the application approval would not inhibit the City's ability to plan around the project.

RECOMMENDATION

Based on compliance with all ordinance requirements and the time extension criteria set forth in Sections 400.11B and 401.12B of the Land Development Code, staff recommends approval of case number TE2010-1, subject to applicable ordinance requirements, the conditions of approval associated with the original review and approval of The Falls at Oak Creek project (ZC2007-1 & DEV2007-1) and the attached conditions of approval, with construction of the project to be initiated by no later than August 12, 2013.

Recommended Motion for Approval

I move to approve a three-year time extension for the development review approval and recommend approval of the three-year zone change time extension request for The Falls at Oak Creek, case number TE2010-1, based on compliance with all ordinance requirements and the time extension criteria set forth in Sections 400.11B and 401.12.B of the Land Development Code, subject to applicable ordinance requirements, the conditions of approval associated with the original review and approval of the project (case numbers ZC2007-1 and DEV2007-1) and the attached conditions of approval, with construction of the project to be initiated by no later than August 12, 2013.

Alternate Motion for Denial

I move to deny case number TE2010-1 based on the following findings (*please specify findings*).

CONDITIONS OF APPROVAL
TE2010-1
(Related case numbers ZC2007-1 and DEV2007-1)
The Falls at Oak Creek Time Extension

1. Development of the subject property shall be in substantial conformance with the applicant's representations of the project as approved by the Planning and Zoning Commission and the City Council, as well as the original conditions of approval of case numbers ZC2007-1 and DEV2007-1.
2. A valid building permit for the project shall be issued and the project shall be under construction by no later than August 12, 2013 or the Planning and Zoning Commission and City Council approval will become void.

The Falls at Oak Creek



Highways
Parcels - CDDATA
Oakcreek



This map has been provided for informational purposes only and is not necessarily engineering accuracy. Every effort has been made to ensure this map is as accurate as possible. The City of Sedona shall assume no liability for the information contained on this map. Topographic information used is from 1989 & is not updated.

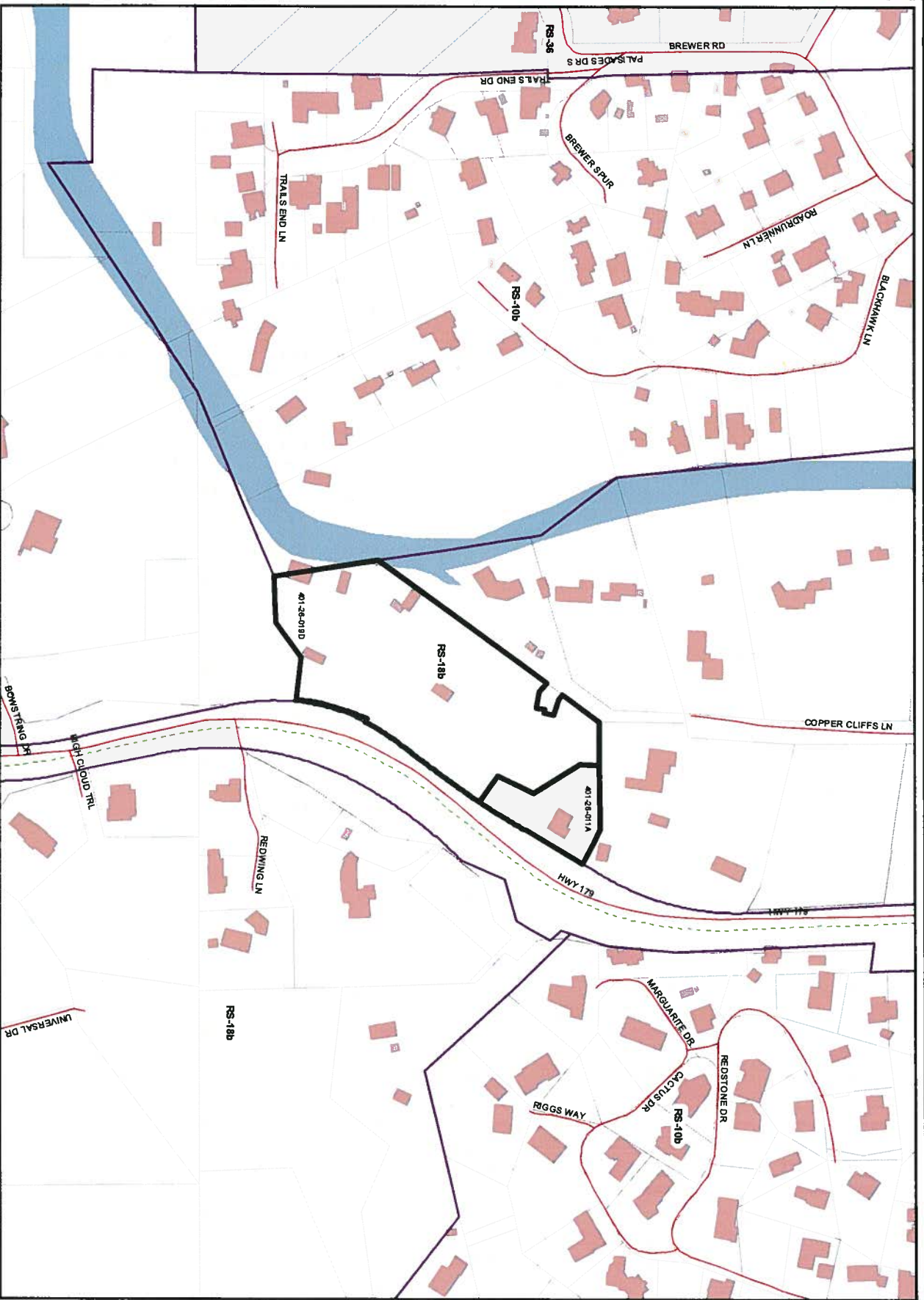
City of Sedona
102 Roadrunner Drive
Sedona, Arizona 86336
(928) 282-1154
<http://www.city.sedona.net>



200 0 200 Feet

Vicinity Map

Parcel #
401-26-011A019D
The Falls
at Oak Creek



City of Durbin
GIS 27200
Durbin, AZ
401-26-011A019D
This map is prepared to provide information to the public. It is not intended to be used for legal purposes. The City of Durbin is not responsible for any errors or omissions on this map. The information is provided as a public service. The City of Durbin is not responsible for any errors or omissions on this map. The information is provided as a public service.



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Encinitas, CA 92024

Tel 760-942-8505
Fax 760-942-8515
www.coastlawgroup.com

March 31, 2010

Ms. Beth Escobar, Associate Planner
Mr. Nicholas Gioello, Senior Planner
Mr. John O'Brien, Community Development Director
City of Sedona
102 Roadrunner Drive
Sedona, AZ 86336

Via Electronic Mail
BEscobar@sedonaaz.gov

Re: The Falls at Oak Creek - 47 Unit Condominium Project
1156 State Route 179 - APN Nos. 401-26-019D & 401-26-011A
ZC2007-1, DEV2007-1 - Request for Time Extension

Dear Ms. Escobar and Mr. Gioello:

This correspondence is submitted on behalf of the Campbell Family Trust to request a three - year extension of the zone change approval and related entitlements for the Falls at Oak Creek condominium project. The request is made in anticipation of the August 12, 2010 entitlement expiration date and is submitted pursuant to Section 400.11B of the Land Development Code. It is our understanding that the three-year time limit for obtaining final plat approval cannot be extended; we therefore intend to apply for the same by no later than May of 2011. Thank you for your time and consideration in reviewing our request.

A. Introduction

Given the current economic climate and the significant downturn in the real estate development and financing markets, we have been unable to procure additional funds to pursue the Falls at Oak Creek. Accordingly, despite good faith efforts on the part of the Campbell Family Trust, market conditions beyond our control have prevented further pursuit of the development and the completion of project requirements within the originally authorized two-year time period. In addition, construction activities associated with the SR 179 improvement project have caused a significant increase in vacancies at the park and we have been required to devote the majority of available resources to increased maintenance and operating costs, which have risen dramatically due to high turnover rates and the aging condition of the park.

In addition, after the project was approved by the City Council in August of 2008, the Campbell Family Trust continued to incur substantial non-recoverable monetary expenditures and commitments in reliance thereon. For instance, during the entitlement review process, it was determined that a formal Letter of Map Revision (LOMR) would be required as a precondition to project development. The FEMA review process was incomplete at the time of project approval, and the Campbell Family Trust continued to commit substantial post-approval resources to procure the LOMR. The LOMR was ultimately approved and became effective in June of 2009. (Please see Attachment A hereto, confirming letter from FEMA dated July 13, 2009).

Based on the above, the Campbell Family Trust requests a three-year extension of the Falls at Oak Creek entitlements under Sections 400.11B.1 and 2 of the Land Development Code. The request for a three-year extension is based on a realistic assessment of current market conditions as well as the significant affordable housing and environmental benefits conferred by the project. Because 15% of the project will be comprised of on-site affordable units, and in light of the commitment to pursue LEED certification, we continue to believe that the Falls at Oak Creek presents a model project for the City of Sedona and that a three-year extension is therefore warranted and appropriate.

B. Market Conditions and Lack of Financing

As noted above, we have been unable to procure additional financing to pursue the Falls at Oak Creek. Recognizing that the Campbell Family Trust is not a developer and does not have the credentials or experience to independently procure a significant construction loan, we have attempted to market the project in furtherance of a joint venture or partnership opportunity. We have also listed the property for sale as a development project. However, it goes without saying that market conditions began to rapidly deteriorate in the fall of 2008 and further declined throughout 2009. Based on the collapse of the real estate market, there has been little to no interest in pursuing a joint venture or partnership to develop the Falls at Oak Creek.

Despite the current economic climate, we have continued to engage in good faith efforts to market the project and to attempt to identify experienced developers that may be interested in the Falls. For instance, in January of 2009, we contacted Arizona Commercial Real Estate Magazine (AZRE Magazine) and requested that the Falls at Oak Creek be featured as a recently approved project. AZRE Magazine has a readership of approximately 93,000 and is recognized as one of the state's leading commercial real estate magazines. After receiving a favorable response, we coordinated with Hochhauser Blatter Architecture & Planning to develop a three-dimensional rendering of the Falls at Oak Creek. The project was ultimately featured in the March-April 2009 edition but, unfortunately, did not generate significant interest (copies of the cover page, feature page, and rendering have been included in Attachments B and C).

Further, between January and April of 2009, we coordinated with La Jolla Bank, our lending institution at the time, regarding potential refinancing options. We sought to procure additional financing to continue to pursue the project, including the pending LOMR application. However, in reviewing our application materials, La Jolla Bank valued the property strictly based on its existing use as a mobile home park. Because of the current state of the real estate market, La Jolla Bank would not consider any additional value conferred by the entitlements. It ultimately determined that it would not be able to loan any additional funds on the property, and the same conclusion was reached with respect to the potential refinance of the Campbells' residence. La Jolla Bank subsequently failed and is now being taken over by another lending institution.

In addition to the above, the SR 179 highway improvement project (SR 179 Project) has had a direct adverse impact on the ongoing business operations of the mobile home park. As part of the SR 179 Project, ADOT procured a temporary construction easement (TCE) near the entryway to the property. The TCE authorized certain construction activities within its boundaries. However, from October 2008 to September 2009, the construction work exceeded the boundaries of the TCE and occupied the visitor parking area along the property's southern driveway. Despite repeated protests, these activities continued unabated in favor of

maintaining the SR 179 construction schedule. (Pictures of these encroachment activities have been attached hereto; please see Attachments D and E).

The violations resulted in a significant loss of rental income and severely disrupted park operations. For instance, the encroachment resulted in near physical altercations between tenants over the remaining parking spaces on site. In addition, certain tenants terminated their rental agreements based on the ongoing lack of parking and the inability to accommodate friends and guests, and prospective tenants chose not to rent available units for the same reasons. This problem was exacerbated by the increased intensity of construction activities at the property entryway, which obstructed access to the park on a regular basis.

ADOT ultimately conceded that construction work was performed outside the boundaries of the TCE and that the encroachment occupied the visitor parking area. However, we were forced to expend substantial time and resources addressing this issue, and the associated loss of rental income further limited our ability to pursue development of the project.

Also relevant, the aging condition of the mobile home park has resulted in a significant increase in maintenance and operating costs. The Campbell family has operated the mobile home park for 30 years and all but two of the mobile homes are now over 30 years old. Many of the units have required substantial expenditures for repair and upkeep over the last year and the operation of the park has become increasingly maintenance-intense. In that regard, the adverse impacts caused by the SR 179 Project, coupled with this increase in operating costs, constitute additional circumstances beyond our control that have limited our ability to pursue the project.

C. Commitment of Substantial Additional Resources

As noted above, substantial post-approval resources were committed to securing the LOMR required for the project. These commitments primarily related to efforts undertaken by our engineering team to ensure the requisite hydraulic analyses and supporting data were provided to FEMA. This required responses to a series of technical comments from FEMA, to provide additional supporting data where necessary, and to ensure the LOMR notice procedures were properly followed. In total, \$38,208.66 in additional costs were incurred in furtherance of the LOMR after the project was approved by the City Council in August of 2008. As reflected in Attachment A, the LOMR became final and effective on June 29, 2009. Additional non-recoverable financial commitments have been incurred in marketing the project (for instance, the three-dimensional rendering discussed above was prepared at a cost of \$900), and in continuing to operate the mobile home park consistent with the conditions of project approval. In that regard, park operating costs have increased significantly as discussed above.

D. Conclusion

The Campbell Family Trust has continued to diligently pursue development of the Falls at Oak Creek in good faith. However, circumstances beyond our control, including the economic downturn, lack of available financing, SR 179 construction impacts, and decreased rental income, have prevented us from proceeding with the project within the originally authorized two-year time period. In addition, the Campbell Family Trust has incurred substantial non-recoverable monetary expenditures and commitments since the project was approved with

**City of Sedona, Community Development Dept.
Falls at Oak Creek - Request for Time Extn.
Page 4 of 4**

respect to obtaining the LOMR approval and the increased maintenance and operating costs discussed above. Given these circumstances, we request that the entitlement extension be granted pursuant to Sections 400.11B.1 and 2 of the Land Development Code. Thank you again for your consideration of the foregoing; we greatly appreciate your efforts in reviewing our request.

Sincerely,

COAST LAW GROUP LLP

A handwritten signature in black ink, appearing to read "Ross M. Campbell", is written over the printed name.

Ross M. Campbell

enclosures

Beth Escobar - Re: The Falls at Oak Creek

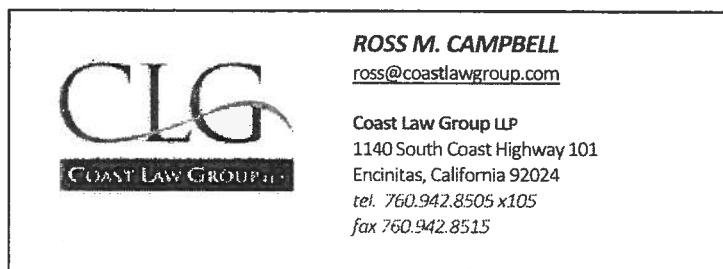
From: "Ross Campbell"
To: "Beth Escobar"
Date: 4/13/2010 7:34 PM
Subject: Re: The Falls at Oak Creek

Hi Beth,

Following up on our entitlement extension request, property taxes and La Jolla Bank loan fees from January 2009 to the present are in the total amount of \$33,355.50. Legal fees and costs associated with the SR179 highway improvement project and the encroachment into the park's visitor parking total approximately \$15,509.50. We should have additional figures, including park operating costs, early next week.

Thank you again; have a great week,

Ross



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To ensure compliance with requirements imposed by the IRS, we inform you that (a) any U.S. tax advice in this communication (including attachments) is limited to the one or more U.S. tax issues addressed herein; (b) additional issues may exist that could affect the U.S. tax treatment of the matter addressed below; (c) this advice does not consider or provide a conclusion with respect to any such additional issues; (d) any U.S. tax advice contained in this communication (including attachments) is not intended or written to be used, and cannot be used, for the purpose of promoting, marketing or recommending to another party any transaction or matter addressed herein, and (e) with respect to any U.S. tax issues outside the limited scope of this advice, and U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of avoiding tax-related penalties under the Internal Revenue Code.

Beth Escobar - RE: RE: June 1 P & Z

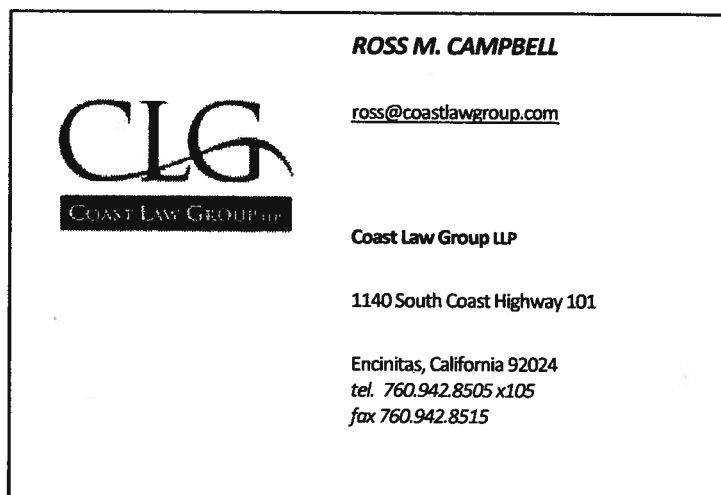
From: "Ross Campbell"
To: "Beth Escobar"
Date: 4/29/2010 11:53 AM
Subject: RE: RE: June 1 P & Z

Thanks, Beth.

With respect to today's work session, my dad will be present to take note of any concerns or comments. Also, regarding additional supporting cost figures, the park's 2009 operating expenses exceeded the average for the preceding three years by approximately \$48,000 (the average for 2006, 2007 and 2008, was \$145,000 while operating expenses for 2009 were approximately \$193,000). This has largely been attributable to the aging condition of the park, the maintenance-intensive aspect of the units, and the need to refocus efforts on continued operation and maintenance in light of existing market conditions. I'm sorry for providing this information a bit late; let me know if you have any questions.

Thank you again for your help.

Ross

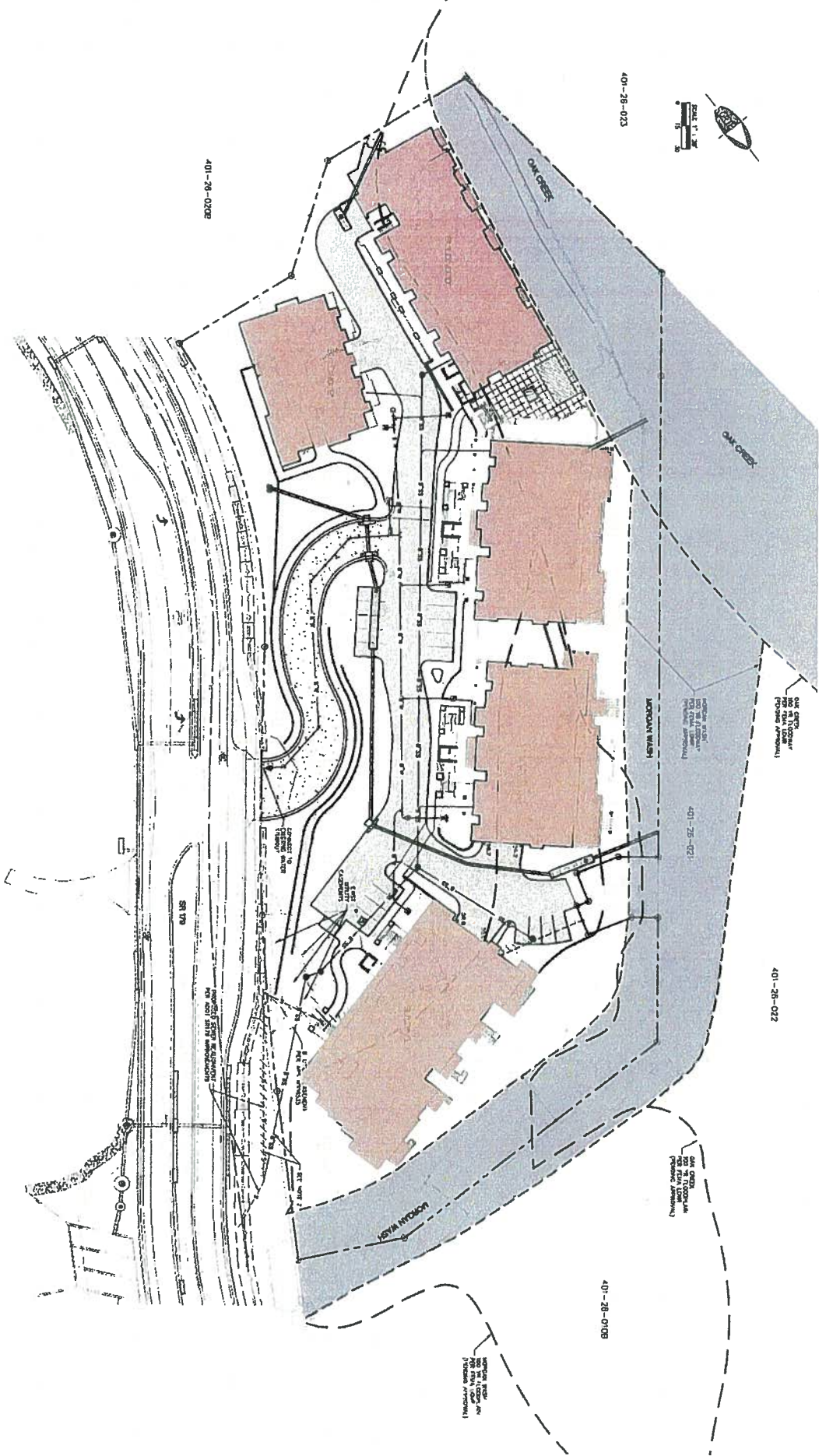


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Falls at Oak Creek - Proposed Site Plan With Revised Floodway Boundaries Shown

See areas marked in blue for floodway delineation





APPROVED

AUG 12 2008

The Falls at Oak Creek – A Condominium ^{by} *CC* Community

Zoning Cases ZC2007, SUB2007-1

August 12, 2008 - City Council Hearing

RECEIVED
JUL 28 2008

CITY OF SEDONA
COMMUNITY DEVELOPMENT

**ARCHITECTURE
AND PLANNING**

Concept Design
The Falls At Oak Creek
1156 HWY. 179
Sedona, AZ. 86335

Serial	Source of Material
1	100X
2	100X
3	100X
4	100X
5	100X
6	100X
7	100X
8	100X
9	100X
10	100X
11	100X
12	100X
13	100X
14	100X
15	100X
16	100X
17	100X
18	100X
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92	100X
93	100X
94	100X
95	100X
96	100X
97	100X
98	100X
99	100X
100	100X

CONTENTS

Product No. 1036

ON ALL SHEETS
BATTERY REMOVED

22

Plant Inventory Legend									
	1	2	3	4	5	6	7	8	9
	Accession Number	Common Name	Number of Plants in Plot	Height in Meters	Flowering in July	Color	Notes	Location	Collector
1	1001	Red-flowered	10	1.5m	Yes	Red	Common	Field	Smith
2	1002	Yellow-flowered	15	2.0m	Yes	Yellow	Common	Field	Smith
3	1003	White-flowered	20	2.5m	Yes	White	Common	Field	Smith
4	1004	Blue-flowered	25	3.0m	Yes	Blue	Common	Field	Smith
5	1005	Pink-flowered	30	3.5m	Yes	Pink	Common	Field	Smith
6	1006	Orange-flowered	35	4.0m	Yes	Orange	Common	Field	Smith
7	1007	Green-flowered	40	4.5m	Yes	Green	Common	Field	Smith
8	1008	Purple-flowered	45	5.0m	Yes	Purple	Common	Field	Smith
9	1009	Black-flowered	50	5.5m	Yes	Black	Common	Field	Smith
10	1010	Grey-flowered	55	6.0m	Yes	Grey	Common	Field	Smith
11	1011	Light blue	60	6.5m	Yes	Light blue	Common	Field	Smith
12	1012	Light green	65	7.0m	Yes	Light green	Common	Field	Smith
13	1013	Light yellow	70	7.5m	Yes	Light yellow	Common	Field	Smith
14	1014	Light orange	75	8.0m	Yes	Light orange	Common	Field	Smith
15	1015	Light pink	80	8.5m	Yes	Light pink	Common	Field	Smith
16	1016	Light purple	85	9.0m	Yes	Light purple	Common	Field	Smith
17	1017	Light grey	90	9.5m	Yes	Light grey	Common	Field	Smith
18	1018	Light black	95	10.0m	Yes	Light black	Common	Field	Smith
19	1019	Light grey	100	10.5m	Yes	Light grey	Common	Field	Smith
20	1020	Light black	105	11.0m	Yes	Light black	Common	Field	Smith
21	1021	Light grey	110	11.5m	Yes	Light grey	Common	Field	Smith
22	1022	Light black	115	12.0m	Yes	Light black	Common	Field	Smith
23	1023	Light grey	120	12.5m	Yes	Light grey	Common	Field	Smith
24	1024	Light black	125	13.0m	Yes	Light black	Common	Field	Smith
25	1025	Light grey	130	13.5m	Yes	Light grey	Common	Field	Smith
26	1026	Light black	135	14.0m	Yes	Light black	Common	Field	Smith
27	1027	Light grey	140	14.5m	Yes	Light grey	Common	Field	Smith
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29	1029	Light grey	150	15.5m	Yes	Light grey	Common	Field	Smith
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33	1033	Light grey	170	17.5m	Yes	Light grey	Common	Field	Smith
34	1034	Light black	175	18.0m	Yes	Light black	Common	Field	Smith
35	1035	Light grey	180	18.5m	Yes	Light grey	Common	Field	Smith
36	1036	Light black	185	19.0m	Yes	Light black	Common	Field	Smith
37	1037	Light grey	190	19.5m	Yes	Light grey	Common	Field	Smith
38	1038	Light black	195	20.0m	Yes	Light black	Common	Field	Smith
39	1039	Light grey	200	20.5m	Yes	Light grey	Common	Field	Smith
40	1040	Light black	205	21.0m	Yes	Light black	Common	Field	Smith
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57	1057	Light grey	290	29.5m	Yes	Light grey	Common	Field	Smith
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94	1094	Light black	475	48.0m	Yes	Light black	Common	Field	Smith
95	1095	Light grey	480	48.5m	Yes	Light grey	Common	Field	Smith
96	1096	Light black	485	49.0m	Yes	Light black	Common	Field	Smith
97	1097	Light grey	490	49.5m	Yes	Light grey	Common	Field	Smith
98	1098	Light black	495	50.0m	Yes	Light black	Common	Field	Smith
99	1099	Light grey	500	50.5m	Yes	Light grey	Common	Field	Smith
100	1100	Light black	505	51.0m	Yes	Light black	Common	Field	Smith

[illegible]

Year	Deaths
1970-1974	1440
1975-1979	1620
1980-1984	1800
1985-1989	2000
1990-1994	2200

Strain & Growth/Source		Synthetic	Legend
12	<i>S. aureus</i> ATCC 29213	Strain 12	Strain 12
13	<i>S. aureus</i> ATCC 29213	Strain 13	Strain 13
14	<i>S. aureus</i> ATCC 29213	Strain 14	Strain 14
15	<i>S. aureus</i> ATCC 29213	Strain 15	Strain 15
16	<i>S. aureus</i> ATCC 29213	Strain 16	Strain 16
17	<i>S. aureus</i> ATCC 29213	Strain 17	Strain 17
18	<i>S. aureus</i> ATCC 29213	Strain 18	Strain 18
19	<i>S. aureus</i> ATCC 29213	Strain 19	Strain 19
20	<i>S. aureus</i> ATCC 29213	Strain 20	Strain 20
21	<i>S. aureus</i> ATCC 29213	Strain 21	Strain 21
22	<i>S. aureus</i> ATCC 29213	Strain 22	Strain 22
23	<i>S. aureus</i> ATCC 29213	Strain 23	Strain 23
24	<i>S. aureus</i> ATCC 29213	Strain 24	Strain 24
25	<i>S. aureus</i> ATCC 29213	Strain 25	Strain 25
26	<i>S. aureus</i> ATCC 29213	Strain 26	Strain 26
27	<i>S. aureus</i> ATCC 29213	Strain 27	Strain 27
28	<i>S. aureus</i> ATCC 29213	Strain 28	Strain 28
29	<i>S. aureus</i> ATCC 29213	Strain 29	Strain 29
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71	<i>S. aureus</i> ATCC 29213	Strain 71	Strain 71
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81	<i>S. aureus</i> ATCC 29213	Strain 81	Strain 81
82	<i>S. aureus</i> ATCC 29213	Strain 82	Strain 82
83	<i>S. aureus</i> ATCC 29213	Strain 83	Strain 83
84	<i>S. aureus</i> ATCC 29213	Strain 84	Strain 84
85	<i>S. aureus</i> ATCC 29213	Strain 85	Strain 85
86	<i>S. aureus</i> ATCC 29213	Strain 86	Strain 86
87	<i>S. aureus</i> ATCC 29213	Strain 87	Strain 87
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89	<i>S. aureus</i> ATCC 29213	Strain 89	Strain 89
90	<i>S. aureus</i> ATCC 29213	Strain 90	Strain 90
91	<i>S. aureus</i> ATCC 29213	Strain 91	Strain 91
92	<i>S. aureus</i> ATCC 29213	Strain 92	Strain 92
93	<i>S. aureus</i> ATCC 29213	Strain 93	Strain 93
94	<i>S. aureus</i> ATCC 29213	Strain 94	Strain 94
95	<i>S. aureus</i> ATCC 29213	Strain 95	Strain 95
96	<i>S. aureus</i> ATCC 29213	Strain 96	Strain 96
97	<i>S. aureus</i> ATCC 29213	Strain 97	Strain 97
98	<i>S. aureus</i> ATCC 29213	Strain 98	Strain 98
99	<i>S. aureus</i> ATCC 29213	Strain 99	Strain 99
100	<i>S. aureus</i> ATCC 29213	Strain 100	Strain 100

Age	Gender
15-19	Female
15-19	Female
20-24	Female
25-29	Female
30-34	Female
35-39	Female
40-44	Female
45-49	Female
50-54	Female
55-59	Female
60-64	Female
65-69	Female
70-74	Female
75-79	Female
80-84	Female
85-89	Female
90-94	Female
95-99	Female
100+	Female